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Robert Walker

Spalding v. City of Chicago

6/17/15

<p style="text-align: right;">5</p> <p>1 (Whereupon, the witness was 2 duly sworn.) 3 ROBERT WALKER, 4 called as a witness herein, was examined and 5 testified as follows: 6 DIRECT EXAMINATION 7 BY MR. SMITH: 8 Q. Can you please state your name and 9 spell your name for the court reporter. 10 A. My name is Robert Walker, 11 W-a-l-k-e-r. 12 Q. Thank you. Have you ever given a 13 deposition before? 14 A. Yes. 15 Q. Just a reminder that since we have 16 a court reporter that if you could try, even 17 if you know where I am going with a 18 question, to let me finish, and then I will 19 try to do the same with you when you answer. 20 Okay? 21 A. Okay. 22 Q. And then the other thing is, 23 generally speaking, just to be mindful of 24 instead of shaking your head or nods, as we</p>	<p style="text-align: right;">7</p> <p>1 Department? 2 A. Chicago Police, correct. 3 Q. And in terms of with the 4th 4 district, what do you do in the 4th 5 district? 6 A. I am a sector sergeant. 7 Q. Sergeant, can you give me, as best 8 you can, your history in terms of when you 9 started with the Chicago Police Department, 10 and your assignments after you started up 11 until now? 12 A. My seniority date was 28 September 13 1998. 14 Q. And after the academy, where were 15 you first assigned? 16 A. The 5th district. 17 Q. How long were you with the 5th 18 district? 19 A. Ten years. 20 Q. Where were you moved after you 21 were assigned to the 5th district? 22 A. I was assigned to the Fugitive 23 Apprehension Unit. 24 Q. So do you think you were assigned</p>
<p style="text-align: right;">6</p> <p>1 all do, to answer questions rather than -- 2 use expressions, if you can, for the same 3 reason. 4 A. Okay. 5 Q. And while this is a formal oath, 6 it's an informal proceeding in the sense of 7 if you need a break for any reason, just 8 indicate that you need a break. The only 9 thing is if there is a pending question, I'd 10 ask that you answer that question before we 11 take a break. Okay? 12 A. Okay. 13 Q. And then with respect to my 14 questions, if you don't understand the 15 question I am asking, feel free to indicate 16 that. Or if you didn't quite hear the 17 question and you need it to be repeated or 18 played back, we can do that. Okay? 19 A. Okay. 20 Q. All right. Can you just tell me 21 where you are currently working? 22 A. I am currently assigned to the 4th 23 district. 24 Q. And what with the Chicago Police</p>	<p style="text-align: right;">8</p> <p>1 there approximately 2008, somewhere in that 2 range, the Fugitive Apprehension Unit? 3 A. Correct. 4 Q. And once you were with the 5 Fugitive Apprehension Unit, how long did you 6 stay with the Fugitive Apprehension Unit? 7 A. I want to say approximately six 8 years. 9 Q. And why did you leave the Fugitive 10 Apprehension Unit? 11 A. I was promoted to sergeant. 12 Q. Now in terms of -- you know 13 Shannon Spalding and Danny Echeverria, 14 correct? 15 A. Correct. 16 Q. When did you first meet either 17 Danny or Shannon? 18 A. Approximately? 19 Q. Yes. 20 A. Go ahead. 21 Q. Let me ask you this way: Did you 22 meet them ever before they came to the 23 Fugitive Apprehension Unit? 24 A. Not that I know of, no.</p>

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<p style="text-align: right;">9</p> <p>1 Q. And when they came to the Fugitive</p> <p>2 Apprehension Unit, who was your supervisor?</p> <p>3 A. Maurice Barnes.</p> <p>4 Q. And were you part of a team?</p> <p>5 A. Correct.</p> <p>6 Q. And what was the name of your</p> <p>7 team?</p> <p>8 A. Area -- Area 2 Fugitive</p> <p>9 Apprehension team.</p> <p>10 Q. And do you remember any of the</p> <p>11 other members of the team that were on that</p> <p>12 team when Shannon and Danny got there?</p> <p>13 A. A few names, yes. I'm sorry, yes.</p> <p>14 Q. Can you just tell me a few of the</p> <p>15 names that you remember?</p> <p>16 A. Tony Robinson, Lorne Gushiniere.</p> <p>17 Q. Anyone else?</p> <p>18 A. Harry Strong, Milton Scott.</p> <p>19 Q. Do you know Kevin Odum, or an</p> <p>20 Odum? Officer Odum?</p> <p>21 A. Do I know one?</p> <p>22 Q. Yes.</p> <p>23 A. I do know a Kevin Odum.</p> <p>24 Q. Was he part of that team?</p>	<p style="text-align: right;">11</p> <p>1 was, by any chance?</p> <p>2 A. No.</p> <p>3 Q. Now you had mentioned that</p> <p>4 Sergeant Barnes was your immediate</p> <p>5 supervisor when Danny and Shannon first</p> <p>6 arrived on the unit, correct?</p> <p>7 A. Correct.</p> <p>8 Q. And how long was Sergeant Barnes</p> <p>9 your supervisor, approximately?</p> <p>10 A. 2008.</p> <p>11 Q. Until when?</p> <p>12 A. I don't understand your question.</p> <p>13 Q. Sergeant Barnes was your</p> <p>14 supervisor in 2008. When did that end? Was</p> <p>15 he your supervisor all the way up until the</p> <p>16 time you left to be a sergeant?</p> <p>17 A. I went to another -- from 2008 to</p> <p>18 2013, approximately.</p> <p>19 Q. And were you assigned to another</p> <p>20 team in 2013?</p> <p>21 A. Correct.</p> <p>22 Q. What team was that?</p> <p>23 A. Area Central team.</p> <p>24 Q. Who was the supervisor of that</p>
<p style="text-align: right;">10</p> <p>1 A. No.</p> <p>2 Q. So anyone else besides the four</p> <p>3 you just mentioned?</p> <p>4 A. That should be it.</p> <p>5 Q. Before Danny and Shannon arrived</p> <p>6 to the Fugitive Apprehension Unit, were</p> <p>7 there two other officers who were part of</p> <p>8 the team who left the unit, if you know?</p> <p>9 A. I don't recall.</p> <p>10 Q. Did you know a Jan Hanna?</p> <p>11 A. On the team, no.</p> <p>12 Q. Not on the team, but did you know</p> <p>13 who Jan Hanna was?</p> <p>14 A. Yes.</p> <p>15 Q. Who is Jan Hanna?</p> <p>16 A. She was assigned to the unit.</p> <p>17 Q. Did you know a Kevin Williams?</p> <p>18 A. Yes.</p> <p>19 Q. How did you know Kevin Williams?</p> <p>20 A. He was also assigned to the unit.</p> <p>21 He was not on our team.</p> <p>22 Q. He was a member of another team?</p> <p>23 A. Correct.</p> <p>24 Q. And do you know who his sergeant</p>	<p style="text-align: right;">12</p> <p>1 team?</p> <p>2 A. Tommy Mason.</p> <p>3 Q. Was there any particular reason</p> <p>4 you went from Area 2 team to Area Central</p> <p>5 team?</p> <p>6 A. They made changes.</p> <p>7 Q. Was it the same time shift in</p> <p>8 terms of day, evening, night?</p> <p>9 A. Yes.</p> <p>10 Q. And what was your regular shift?</p> <p>11 A. I work days.</p> <p>12 Q. Before Danny and Shannon became</p> <p>13 part of the Fugitive Apprehension team, who</p> <p>14 was your partner, if you had one?</p> <p>15 A. I am not sure. I am not sure.</p> <p>16 Q. Were there times where you were</p> <p>17 given different partners on a regular basis,</p> <p>18 or would you generally have a particular</p> <p>19 partner or two particular partners?</p> <p>20 A. Sometimes I was the odd man out,</p> <p>21 so I would work with other people.</p> <p>22 Q. Is it fair to say that at times</p> <p>23 with the Fugitive Apprehension team that</p> <p>24 Sergeant Barnes would have a team meeting?</p>

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<p style="text-align: right;">13</p> <p>1 A. Correct.</p> <p>2 Q. Is it fair to say that there</p> <p>3 weren't regular weekly meetings? They would</p> <p>4 happen just occasionally when things would</p> <p>5 come up?</p> <p>6 A. I wouldn't say that, no.</p> <p>7 Q. Did he have a regular set meeting</p> <p>8 day?</p> <p>9 A. No, it wasn't a regular set</p> <p>10 meeting day. If he wanted to call a team</p> <p>11 meeting, he would call a team meeting.</p> <p>12 Q. How often would team meetings</p> <p>13 occur?</p> <p>14 A. I don't know.</p> <p>15 Q. Was it more than once a month?</p> <p>16 A. I don't know.</p> <p>17 Q. Is it fair to say that at some</p> <p>18 point in time did you work in a car with</p> <p>19 Danny and Shannon?</p> <p>20 A. That's fair to say.</p> <p>21 Q. For how long of a period did you</p> <p>22 work in the same car as Danny and Shannon?</p> <p>23 A. I am not sure.</p> <p>24 Q. Was it more than a couple of</p>	<p style="text-align: right;">15</p> <p>1 that being said at the meeting.</p> <p>2 THE WITNESS: What's the question</p> <p>3 again?</p> <p>4 BY MR. SMITH:</p> <p>5 Q. Do you recall that IAD, in</p> <p>6 particular, that was brought up during the</p> <p>7 course of the meeting?</p> <p>8 A. I am not sure.</p> <p>9 Q. Do you recall that where Danny and</p> <p>10 Shannon had come from was being brought up</p> <p>11 during the meeting?</p> <p>12 A. I don't recall that either in</p> <p>13 terms of -- I don't know.</p> <p>14 Q. Do you recall that the question of</p> <p>15 whether anyone had concerns about working</p> <p>16 with Danny and Shannon was brought up at the</p> <p>17 meeting?</p> <p>18 A. I don't know. I am not sure.</p> <p>19 Q. Do you recall what Danny said</p> <p>20 during the meeting?</p> <p>21 A. There was one meeting in</p> <p>22 particular. I don't remember by verbatim,</p> <p>23 but I do remember Danny saying in this</p> <p>24 particular meeting, his words were pretty</p>
<p style="text-align: right;">14</p> <p>1 weeks? More than two weeks?</p> <p>2 A. Oh, yeah, more than two weeks.</p> <p>3 Q. Less than five months, or less</p> <p>4 than six months?</p> <p>5 A. I want to say it's more. I would</p> <p>6 -- I don't know.</p> <p>7 Q. During the time that you worked</p> <p>8 with Danny and Shannon, do you recall a team</p> <p>9 meeting occurring with Sergeant Barnes where</p> <p>10 Danny indicated during the meeting that he</p> <p>11 was essentially directing to the team if</p> <p>12 anybody had had concerns with where they</p> <p>13 came from, whether they came from IAD, that</p> <p>14 this would be a time to discuss it?</p> <p>15 A. Something to that effect. I can't</p> <p>16 -- yes.</p> <p>17 Q. Do you recall that, in particular,</p> <p>18 the thought that if anybody wanted to know</p> <p>19 where Danny or Shannon had come from,</p> <p>20 whether they were IAD, that that was going</p> <p>21 to be addressed in the meeting?</p> <p>22 MR. KING: I'd just object to the</p> <p>23 form of the question.</p> <p>24 You can answer if you remember</p>	<p style="text-align: right;">16</p> <p>1 much, "hey, if you ever get a chance to know</p> <p>2 me, I will get a chance to know you. I will</p> <p>3 buy you all a beer." It was a meeting like</p> <p>4 that. Danny made that comment.</p> <p>5 In terms of the language and</p> <p>6 verbatim in terms of, you know, I don't</p> <p>7 know. I don't recall that.</p> <p>8 Q. Do you recall saying anything</p> <p>9 yourself during the course of that meeting?</p> <p>10 A. I don't recall that either.</p> <p>11 Q. Do you recall Sergeant Barnes</p> <p>12 saying anything during the course of that</p> <p>13 meeting?</p> <p>14 A. No.</p> <p>15 Q. Do you recall Shannon Spalding</p> <p>16 saying anything during the course of that</p> <p>17 meeting?</p> <p>18 A. No.</p> <p>19 Q. Do you have any idea why Danny</p> <p>20 brought that up in terms of getting to know</p> <p>21 him?</p> <p>22 MR. KING: Object to the form and</p> <p>23 lack of foundation.</p> <p>24 You can answer.</p>

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<p style="text-align: right;">17</p> <p>1 THE WITNESS: You have to ask</p> <p>2 Danny that.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. In terms of what else do you</p> <p>5 remember being said during the course of</p> <p>6 that meeting?</p> <p>7 A. It would be speculation on my</p> <p>8 part. I can't remember by verbatim. I</p> <p>9 cannot remember exact words.</p> <p>10 During the course of my</p> <p>11 career, I have had a lot of team meetings.</p> <p>12 I don't know by verbatim. It would be pure</p> <p>13 speculation.</p> <p>14 Q. In terms of do you remember why</p> <p>15 the team meeting was called?</p> <p>16 A. Because Sergeant Barnes called a</p> <p>17 team meeting.</p> <p>18 Q. Do you know why Sergeant Barnes</p> <p>19 called the team meeting?</p> <p>20 A. I don't know.</p> <p>21 Q. Do you remember anything that was</p> <p>22 discussed other than what you said were</p> <p>23 Danny's comments during the meeting?</p> <p>24 A. Repeat the question.</p>	<p style="text-align: right;">19</p> <p>1 to anything; Danny?</p> <p>2 A. What he was responding to? I</p> <p>3 don't know. I can't remember by verbatim.</p> <p>4 I don't know what was said before then by</p> <p>5 verbatim. So I guess it would be in a</p> <p>6 response to somebody.</p> <p>7 Q. Do you remember who he was</p> <p>8 responding to?</p> <p>9 A. No.</p> <p>10 Q. Do you remember anyone responding</p> <p>11 to him?</p> <p>12 A. No.</p> <p>13 Q. Do you remember Danny saying</p> <p>14 anything at any other meetings besides this</p> <p>15 one?</p> <p>16 A. No.</p> <p>17 Q. Do you ever remember anything that</p> <p>18 Shannon said at any meeting with Sergeant</p> <p>19 Barnes?</p> <p>20 A. No.</p> <p>21 Q. Do you ever remember anything in</p> <p>22 specifics that Sergeant Barnes has said at</p> <p>23 any meeting?</p> <p>24 A. Specifically, no.</p>
<p style="text-align: right;">18</p> <p>1 Q. Do you remember anything that was</p> <p>2 discussed during that meeting?</p> <p>3 MR. KING: Other than what he's</p> <p>4 already testified to?</p> <p>5 MR. SMITH: Yes, other than what</p> <p>6 you have already testified to.</p> <p>7 THE WITNESS: Not by verbatim, no.</p> <p>8 BY MR. SMITH:</p> <p>9 Q. What was the gist of what you</p> <p>10 remember about the meeting?</p> <p>11 A. In particular, I don't remember</p> <p>12 things -- I don't remember things by</p> <p>13 verbatim.</p> <p>14 Again, Danny said, hey, you</p> <p>15 know, I can't remember what he said by</p> <p>16 verbatim, but his answer to this was, if you</p> <p>17 all want to get a chance to know me, I will</p> <p>18 get a chance to know you all, you know. I</p> <p>19 am showing myself as -- not by verbatim, I</p> <p>20 am showing myself as a friend, hey, get a</p> <p>21 chance to know me. Not by verbatim. That</p> <p>22 was the gist of what I took from that</p> <p>23 meeting.</p> <p>24 Q. And in terms of was he responding</p>	<p style="text-align: right;">20</p> <p>1 Q. Did you ever talk with Danny or</p> <p>2 Shannon about why -- did you ever talk with</p> <p>3 Danny or Shannon about concerns that members</p> <p>4 of the team had with working with them? If</p> <p>5 anyone had had any concerns about working</p> <p>6 with them?</p> <p>7 A. Repeat your question.</p> <p>8 Q. Have you ever talked with Danny or</p> <p>9 Shannon about concerns that other people</p> <p>10 were expressing about working with them?</p> <p>11 A. Yes.</p> <p>12 Q. What was that conversation? Or</p> <p>13 was there more than one conversation about</p> <p>14 that?</p> <p>15 A. At what point are we talking about</p> <p>16 in terms of -- are we talking about --</p> <p>17 Q. When was the first time you had a</p> <p>18 conversation about that?</p> <p>19 A. The main conversation that I</p> <p>20 remember, I remember this, in particular,</p> <p>21 was when I first met Danny and Shannon.</p> <p>22 Q. Okay. What was the conversation?</p> <p>23 A. I understand that you all came</p> <p>24 from IAD. I also told them that -- my exact</p>

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<p style="text-align: right;">21</p> <p>1 words were, you know, we are going to work</p> <p>2 hard. We are going to play hard. We are</p> <p>3 going to take a longer lunch than normal.</p> <p>4 It was a conversation like that.</p> <p>5 Q. Did you tell them how it was that</p> <p>6 you came to understand that they were from</p> <p>7 IAD?</p> <p>8 A. I don't know if I told them I</p> <p>9 heard. I don't remember that part of the</p> <p>10 conversation, but I did bring it to them</p> <p>11 that I understand that you all are from IAD.</p> <p>12 Q. Who told you that they were from</p> <p>13 IAD?</p> <p>14 A. Sergeant Barnes.</p> <p>15 Q. Is it possible that during the</p> <p>16 meeting that you spoke of where Danny was</p> <p>17 talking about getting to know people that</p> <p>18 you indicated during that meeting that you</p> <p>19 had told Danny and Shannon that you had</p> <p>20 heard they were from IAD?</p> <p>21 MR. KING: Object to the form of</p> <p>22 the question.</p> <p>23 You can answer it if you</p> <p>24 understand it.</p>	<p style="text-align: right;">23</p> <p>1 MR. KING: Same objection to "is</p> <p>2 it possible." I think he testified to what</p> <p>3 he remembered of the conversation. Unless</p> <p>4 you can tell him if you think you said that</p> <p>5 or you remember saying that.</p> <p>6 THE WITNESS: I don't recall that</p> <p>7 either.</p> <p>8 BY MR. SMITH:</p> <p>9 Q. In terms of when you indicated</p> <p>10 that you heard Danny and Shannon were from</p> <p>11 IAD, what was Shannon or Danny's response to</p> <p>12 that?</p> <p>13 A. I don't recall that either. I</p> <p>14 don't remember that.</p> <p>15 Q. Did you ever talk to any other</p> <p>16 members of the team in Fugitive</p> <p>17 Apprehensions about Danny and Shannon being</p> <p>18 from IAD?</p> <p>19 A. Yes.</p> <p>20 Q. What were the conversations about?</p> <p>21 A. The conversations were pretty much</p> <p>22 about two officers are coming to the unit</p> <p>23 that came from IAD.</p> <p>24 Q. Was it common knowledge that Danny</p>
<p style="text-align: right;">22</p> <p>1 THE WITNESS: I don't understand.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. During the meeting where you have</p> <p>4 indicated Danny said get to know me, is it</p> <p>5 possible that during that meeting that you</p> <p>6 admitted that you had indicated to Danny and</p> <p>7 Shannon that you had heard they were from</p> <p>8 IAD?</p> <p>9 MR. KING: Same objection to the</p> <p>10 form, but you can answer.</p> <p>11 THE WITNESS: I still don't</p> <p>12 understand the question.</p> <p>13 BY MR. SMITH:</p> <p>14 Q. You recall talking about a meeting</p> <p>15 with Sergeant Barnes and the team where</p> <p>16 Danny said, you know, get to know me, have a</p> <p>17 beer with me, correct? You recall talking</p> <p>18 about that meeting?</p> <p>19 A. Okay.</p> <p>20 Q. Is it possible that during that</p> <p>21 meeting that you indicated yourself in</p> <p>22 that meeting that you were -- you had told</p> <p>23 them that you had heard that they were from</p> <p>24 IAD?</p>	<p style="text-align: right;">24</p> <p>1 and Shannon had come from IAD? Did the</p> <p>2 other members of the team indicate that</p> <p>3 that's what they were told, too?</p> <p>4 MR. KING: Object to the form of</p> <p>5 the question.</p> <p>6 You can answer.</p> <p>7 THE WITNESS: I don't know what</p> <p>8 the other team members knew at that point.</p> <p>9 BY MR. SMITH:</p> <p>10 Q. The people that you talked to</p> <p>11 about them being from IAD, did they tell you</p> <p>12 how they learned that Danny and Shannon were</p> <p>13 part of IAD?</p> <p>14 A. I don't know that answer. I don't</p> <p>15 know.</p> <p>16 Q. Was any discussion had about what</p> <p>17 Danny and Shannon were doing with IAD?</p> <p>18 MR. KING: I am just going to</p> <p>19 object to the lack of foundation, and I</p> <p>20 think he may be testifying to the initial</p> <p>21 conversation, and I think you're suggesting</p> <p>22 there are other conversations.</p> <p>23 I am just not sure there is a</p> <p>24 foundation that's clear that we know what</p>

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<p style="text-align: right;">25</p> <p>1 meetings or conversations we are talking</p> <p>2 about.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. In terms of other officers within</p> <p>5 the Fugitive Apprehension Unit, how many</p> <p>6 officers did you have conversations with</p> <p>7 about Danny and Shannon being from IAD?</p> <p>8 Was it all the team members or</p> <p>9 just certain ones?</p> <p>10 A. Initially?</p> <p>11 Q. Let's start with initially.</p> <p>12 A. I am guessing, and I am not sure.</p> <p>13 Maybe two officers.</p> <p>14 Q. And do you know which two?</p> <p>15 A. I am guessing. It would be Tony</p> <p>16 Robinson and Lorne.</p> <p>17 MR. KING: Don't guess. If you</p> <p>18 remember, tell him.</p> <p>19 BY MR. SMITH:</p> <p>20 Q. Tony Robinson and Lorne Kushner?</p> <p>21 A. Correct.</p> <p>22 Q. Do you know who brought this up?</p> <p>23 A. No, I don't.</p> <p>24 Q. Did you ever tell Danny or Shannon</p>	<p style="text-align: right;">27</p> <p>1 BY MR. SMITH:</p> <p>2 Q. In terms of you mentioned you had</p> <p>3 an initial conversation about Danny and</p> <p>4 Shannon being from IAD with other officers.</p> <p>5 Was that before or after you had met Danny</p> <p>6 and Shannon?</p> <p>7 A. Before.</p> <p>8 Q. Do you know how long before you</p> <p>9 met them?</p> <p>10 A. I don't know.</p> <p>11 Q. Was there any discussion before</p> <p>12 you met Danny or Shannon about what it would</p> <p>13 be -- what it would mean to work with</p> <p>14 somebody from IAD?</p> <p>15 MR. KING: Object to the form of</p> <p>16 the question.</p> <p>17 You can answer.</p> <p>18 THE WITNESS: I don't understand</p> <p>19 your question.</p> <p>20 BY MR. SMITH:</p> <p>21 Q. Was there any discussion about the</p> <p>22 possibility of if they are from IAD, they</p> <p>23 may be doing an investigation of the</p> <p>24 Fugitive Apprehension Unit?</p>
<p style="text-align: right;">26</p> <p>1 about your conversation with Tony or Lorne?</p> <p>2 A. No.</p> <p>3 Q. When Sergeant Barnes told</p> <p>4 you about Danny and Shannon coming from IAD,</p> <p>5 were either Tony or Lorne present?</p> <p>6 A. I don't know.</p> <p>7 Q. In terms of after that initial</p> <p>8 conversation that you spoke of concerning</p> <p>9 Danny and Shannon being from IAD, what was</p> <p>10 the next conversation you remember about</p> <p>11 Danny and Shannon and where they had come</p> <p>12 from?</p> <p>13 A. I don't recall that either.</p> <p>14 Q. In terms of did you know how long</p> <p>15 it was before -- did you have a</p> <p>16 conversation, initial conversation about</p> <p>17 Danny and Shannon coming from IAD, before or</p> <p>18 after you had met them?</p> <p>19 MR. KING: Object to the form.</p> <p>20 Do you know what the initial</p> <p>21 conversation is? If you understand it, you</p> <p>22 can answer.</p> <p>23 THE WITNESS: No, I don't</p> <p>24 understand the question.</p>	<p style="text-align: right;">28</p> <p>1 A. Investigation of the Fugitive</p> <p>2 Apprehension Unit?</p> <p>3 Q. Correct.</p> <p>4 A. No.</p> <p>5 Q. Was there any discussion about why</p> <p>6 they might be coming to Fugitive</p> <p>7 Apprehensions.</p> <p>8 A. No.</p> <p>9 Q. Did you have a discussion after</p> <p>10 meeting Shannon and Danny with anybody about</p> <p>11 where they had come from in terms of being</p> <p>12 from IAD?</p> <p>13 A. Did I have a discussion?</p> <p>14 Q. Yes.</p> <p>15 A. No.</p> <p>16 Q. In terms of Danny and Shannon,</p> <p>17 did you ever have any problems with Danny's</p> <p>18 work ethic when he was in Fugitive</p> <p>19 Apprehensions?</p> <p>20 A. No.</p> <p>21 Q. Did you think he was a good</p> <p>22 partner to work with?</p> <p>23 A. He was all right.</p> <p>24 Q. Was there anything you have to</p>

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<p style="text-align: right;">29</p> <p>1 complain about?</p> <p>2 A. No.</p> <p>3 Q. Did you think he did his</p> <p>4 assignments that were given to him?</p> <p>5 A. Yes.</p> <p>6 Q. Did you think he was an aggressive</p> <p>7 officer in terms of trying to apprehend</p> <p>8 people on warrants?</p> <p>9 A. No.</p> <p>10 Q. Why do you say that?</p> <p>11 A. Was he aggressive?</p> <p>12 Q. Meaning was he making efforts to</p> <p>13 do his job?</p> <p>14 MR. KING: I'd just object to the</p> <p>15 form. Those are two different questions, so</p> <p>16 I am not sure which one you want.</p> <p>17 BY MR. SMITH:</p> <p>18 Q. In terms of when I am using the</p> <p>19 word "aggressive" in the question, I am not</p> <p>20 saying physically aggressive or anything of</p> <p>21 that nature. I am talking about was he</p> <p>22 active in trying to do his job in Fugitive</p> <p>23 Apprehensions?</p> <p>24 A. Correct.</p>	<p style="text-align: right;">31</p> <p>1 A. No.</p> <p>2 Q. Do you remember any assignments</p> <p>3 where Danny or Shannon being new to the job</p> <p>4 hindered apprehending a suspect or somebody</p> <p>5 on a warrant?</p> <p>6 A. Ask your question again.</p> <p>7 Q. Do you remember any situations</p> <p>8 where Danny or Shannon's being new on the</p> <p>9 job somehow hindered your -- their abilities</p> <p>10 or your ability to apprehend a suspect off a</p> <p>11 warrant?</p> <p>12 A. No.</p> <p>13 Q. Do you remember any situation</p> <p>14 which Danny or Shannon's being new on the</p> <p>15 job was in any way detrimental or a</p> <p>16 hindrance to doing an assignment?</p> <p>17 A. No.</p> <p>18 Q. Do you remember in any situation</p> <p>19 while working with Danny or Shannon that</p> <p>20 Danny or Shannon did something that you</p> <p>21 wouldn't have done in connection with their</p> <p>22 work in apprehending or trying to apprehend</p> <p>23 a suspect?</p> <p>24 A. No.</p>
<p style="text-align: right;">30</p> <p>1 Q. And in terms of Shannon, would you</p> <p>2 agree that she also was active in trying to</p> <p>3 do her job?</p> <p>4 A. Correct.</p> <p>5 Q. Did you have any problems with</p> <p>6 Shannon?</p> <p>7 A. No.</p> <p>8 Q. Did you think they were good</p> <p>9 officers?</p> <p>10 A. No.</p> <p>11 Q. Why?</p> <p>12 A. Going after fugitives is a skill,</p> <p>13 and they were just starting off. They were</p> <p>14 new. They could be good police officers,</p> <p>15 but in terms -- they were getting their feet</p> <p>16 wet. They were just starting off. They</p> <p>17 were the police. You know, they had a</p> <p>18 strong -- you know, they have a strong</p> <p>19 feeling for the job. They are</p> <p>20 knowledgeable, but they were learning what</p> <p>21 it is to hunt fugitives, so to speak.</p> <p>22 Q. Do you remember any of the</p> <p>23 assignments that you, Danny and Shannon</p> <p>24 worked on together?</p>	<p style="text-align: right;">32</p> <p>1 Q. Do you remember any situation in</p> <p>2 which there was an assignment that Danny and</p> <p>3 Shannon were working on that you would have</p> <p>4 done something that they didn't do?</p> <p>5 A. No.</p> <p>6 Q. Did you review any documents in</p> <p>7 connection with your preparation for this</p> <p>8 deposition?</p> <p>9 A. Did I review any?</p> <p>10 Q. Documents.</p> <p>11 A. No.</p> <p>12 Q. Are you represented by an attorney</p> <p>13 today?</p> <p>14 A. Correct.</p> <p>15 Q. You are.</p> <p>16 In terms of the assignment of</p> <p>17 Fugitive Apprehension, is it your</p> <p>18 understanding that all officers in Fugitive</p> <p>19 Apprehension report back to their unit that</p> <p>20 they were working in for a face-to-face</p> <p>21 checkoff? Or can they leave from the</p> <p>22 location of their last job?</p> <p>23 A. I can't speak on that.</p> <p>24 Q. What was your common practice?</p>

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<p style="text-align: right;">33</p> <p>1 let me strike that question.</p> <p>2 Were you required to check off</p> <p>3 back at where you were assigned on the days</p> <p>4 that you were working in Fugitive</p> <p>5 Apprehension, or could you leave from where</p> <p>6 your last job was?</p> <p>7 MR. KING: I'd just object to lack</p> <p>8 of foundation. I assume we are talking</p> <p>9 about when he is on Barnes' team?</p> <p>10 BY MR. SMITH:</p> <p>11 Q. I am talking about when he was</p> <p>12 working on Fugitive Apprehensions.</p> <p>13 A. You know, on a day-to-day basis,</p> <p>14 no two days were the same. So I can't</p> <p>15 say that's a common practice. I can't say</p> <p>16 what other officers did. I cannot attest to</p> <p>17 how other sergeants ran their team.</p> <p>18 Q. I am talking about you personally,</p> <p>19 what did you do? Were there times when you</p> <p>20 would check off without coming back to your</p> <p>21 unit of assignment?</p> <p>22 A. It has happened before, yes.</p> <p>23 Q. And would that happen regardless</p> <p>24 of whose team you are on at the time?</p>	<p style="text-align: right;">35</p> <p>1 you were working there?</p> <p>2 A. No, not -- of LEADS 2000?</p> <p>3 Q. What databases did you have access</p> <p>4 to as an officer in Fugitive Apprehension?</p> <p>5 And we are talking about the timeframe of</p> <p>6 when Danny and Shannon arrived.</p> <p>7 A. I'd only had CLEAR, what they call</p> <p>8 CLEAR.</p> <p>9 Q. Why did you only have CLEAR?</p> <p>10 A. I don't know.</p> <p>11 Q. Did you believe that the other</p> <p>12 officers in Fugitive Apprehension only had</p> <p>13 CLEAR?</p> <p>14 A. I never even asked. I don't know.</p> <p>15 Q. In terms of were you aware of what</p> <p>16 types of assignments Danny and Shannon were</p> <p>17 getting while they were working in Fugitive</p> <p>18 Apprehensions?</p> <p>19 A. Yes.</p> <p>20 Q. And how did you become aware of</p> <p>21 that?</p> <p>22 A. Danny, Shannon, and I worked</p> <p>23 together daily.</p> <p>24 Q. And what kind of assignments were</p>
<p style="text-align: right;">34</p> <p>1 A. Let me explain this to you. No</p> <p>2 two days were the same. It was a very fluid</p> <p>3 situation. There was -- the common practice</p> <p>4 was there was no common practice. It just</p> <p>5 all depends on how the day was.</p> <p>6 Q. So it's fair to say you weren't</p> <p>7 required to always go back and do a</p> <p>8 face-to-face checkoff, correct?</p> <p>9 A. Correct.</p> <p>10 Q. And that was true whether you were</p> <p>11 working under Barnes or one of the other</p> <p>12 sergeants, correct?</p> <p>13 A. Correct.</p> <p>14 Q. Did you know Shannon or Danny were</p> <p>15 being asked to report to check-off at the</p> <p>16 place of their assignment?</p> <p>17 A. I don't know because -- I don't</p> <p>18 know.</p> <p>19 Q. In terms of did you know if Danny</p> <p>20 and Shannon had had access to LEADS 2000 or</p> <p>21 LexisNexis when they were working in</p> <p>22 Fugitive Apprehension under Barnes?</p> <p>23 A. I have no knowledge of that.</p> <p>24 Q. Is that a tool that you had when</p>	<p style="text-align: right;">36</p> <p>1 you getting?</p> <p>2 A. Repeat your question.</p> <p>3 Q. What kind of assignments were you</p> <p>4 getting?</p> <p>5 A. Was I getting?</p> <p>6 Q. Were the three of you.</p> <p>7 A. It varied from homicide cases to</p> <p>8 prostitution warrants. It varied.</p> <p>9 Q. And in terms of -- is there like a</p> <p>10 system or a way you delineate types of cases</p> <p>11 within Fugitive Apprehensions in terms of</p> <p>12 are there different types or categories of</p> <p>13 warrants that you get?</p> <p>14 A. Repeat your question, please.</p> <p>15 Q. Well, you mentioned homicide</p> <p>16 investigation cases. And was there a</p> <p>17 category? Was there any way of categorizing</p> <p>18 cases in terms of like felony cases? Were</p> <p>19 there levels or distinctions given to</p> <p>20 warrant assignments?</p> <p>21 A. Given to warrant assignments, no.</p> <p>22 Q. Did you believe that you and Danny</p> <p>23 and Shannon were getting a similar number of</p> <p>24 homicides to the other people that were</p>

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<p style="text-align: right;">37</p> <p>1 working in Fugitive Apprehensions on Barnes' team?</p> <p>2</p> <p>3 A. Homicides, yes.</p> <p>4 Q. What about felony cases, did you think you were getting a similar amount of felony cases assigned to the three of you that other cars were getting within Barnes' team?</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9 A. As in car, yes.</p> <p>10 Q. In terms of each arrest, did you believe that Shannon, Danny and you were making a similar amount of arrests to the other cars that were part of Barnes' team?</p> <p>11</p> <p>12</p> <p>13</p> <p>14 A. I don't know.</p> <p>15 Q. Did anyone ever discuss within Barnes' unit the numbers of arrests that were being made?</p> <p>16</p> <p>17</p> <p>18 A. Yes.</p> <p>19 Q. And who would discuss that, and how would that come up?</p> <p>20</p> <p>21 A. Sergeant Barnes would discuss it.</p> <p>22 Q. Would he discuss them at the meetings, or in what form?</p> <p>23</p> <p>24 A. If Sergeant Barnes felt our</p>	<p style="text-align: right;">39</p> <p>1 BY MR. SMITH:</p> <p>2 Q. Well, how would you pick up the pace if Sergeant Barnes said pick up the pace?</p> <p>3</p> <p>4</p> <p>5 A. By making arrests.</p> <p>6 Q. Were there ever any times where there were arrests that you could have made where you decided not to make them?</p> <p>7</p> <p>8</p> <p>9 A. No.</p> <p>10 Q. Were there ever times where you knew where somebody who was the subject of a warrant where you weren't going and executing that warrant?</p> <p>11</p> <p>12</p> <p>13</p> <p>14 A. I don't recall that.</p> <p>15 Q. What did you think Sergeant Barnes meant by picking up the pace?</p> <p>16</p> <p>17 MR. KING: I object to the form, and asked and answered twice, but you can answer.</p> <p>18</p> <p>19</p> <p>20 THE WITNESS: By making arrests, go out and make some arrests. That's what pick up the pace meant.</p> <p>21</p> <p>22</p> <p>23 BY MR. SMITH:</p> <p>24 Q. And you would agree that you can't</p>
<p style="text-align: right;">38</p> <p>1 numbers were low, he would say, hey, pick it up, pick up the pace.</p> <p>2</p> <p>3 Q. How could an officer pick up the pace in terms of making arrests?</p> <p>4</p> <p>5 A. By making an arrest.</p> <p>6 Q. In terms of would you be able to ask for more assignments?</p> <p>7</p> <p>8</p> <p>9 A. No.</p> <p>10 Q. In terms of were there instances in which there was an arrest that could have been made where an arrest wasn't made?</p> <p>11</p> <p>12</p> <p>13 A. I don't understand your question.</p> <p>14 Q. In other words, you get assignments for warrants, and were there -- and you're attempting to make arrests and Sergeant Barnes says pick up the pace. Were there times where you had assignments that you were not making arrests when you should have been able to make arrests?</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 MR. KING: I'd object to the form of the question.</p> <p>21</p> <p>22 If you understand it.</p> <p>23 THE WITNESS: I don't understand that question.</p> <p>24</p>	<p style="text-align: right;">40</p> <p>1 make an arrest unless there is somebody to arrest?</p> <p>2</p> <p>3 A. Correct.</p> <p>4 Q. Did you know of anybody in the unit ever being told by Sergeant Barnes to pick up the pace, and then they were able to make arrests they should have been able to make earlier?</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9 A. I cannot attest for what other -- what they would do. I don't know.</p> <p>10</p> <p>11 Q. How about yourself?</p> <p>12</p> <p>13</p> <p>14 A. No.</p> <p>15 Q. Is it true that sometimes you get a warrant that a person could even be -- who was the subject of the warrant could even be dead?</p> <p>16</p> <p>17</p> <p>18 A. Repeat the question.</p> <p>19 Q. Is it true that sometimes in Fugitive Apprehensions, you might be given a warrant and assignment to look for somebody on a warrant and you learned that they were dead?</p> <p>20</p> <p>21</p> <p>22</p> <p>23 A. That's possible.</p> <p>24 Q. And it's true that it also can be</p>

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<p style="text-align: right;">41</p> <p>1 that individuals are already in prison who</p> <p>2 are the subject of a warrant, correct?</p> <p>3 A. Correct.</p> <p>4 Q. If an individual is in prison who</p> <p>5 is the subject of a warrant, would you</p> <p>6 generally still try to somehow -- what would</p> <p>7 you do with that warrant if you found out</p> <p>8 somebody was in prison?</p> <p>9 A. What I would do?</p> <p>10 Q. Yes.</p> <p>11 A. There is no answer for that.</p> <p>12 There is not a concrete answer for that.</p> <p>13 That could be handled -- I don't know.</p> <p>14 There is no concrete answer for that.</p> <p>15 Q. Do you know approximately how many</p> <p>16 arrests you would generally make during the</p> <p>17 course of a month when you were working at</p> <p>18 Fugitive Apprehensions?</p> <p>19 A. I don't know.</p> <p>20 Q. In terms of when you made an</p> <p>21 arrest, or it was your warrant and you were,</p> <p>22 say, the subject -- the person who kind of</p> <p>23 found where the subject of the arrest was,</p> <p>24 how would you determine what other members</p>	<p style="text-align: right;">43</p> <p>1 another district if they gave me a tip.</p> <p>2 Anybody who took part in it.</p> <p>3 Q. So they wouldn't have to be people</p> <p>4 who were actually at the scene of the</p> <p>5 arrest?</p> <p>6 A. No.</p> <p>7 Q. Would you include other members of</p> <p>8 the team who were working that day, just</p> <p>9 generally working to try and arrest people</p> <p>10 out on warrants?</p> <p>11 A. I don't understand your question.</p> <p>12 Q. Would you sit down and actually</p> <p>13 make an assessment of this person did this</p> <p>14 for me on this arrest, this person did this</p> <p>15 for me on this arrest, this person did this</p> <p>16 for me on this arrest? Or would you</p> <p>17 essentially say that anybody who was</p> <p>18 actively working warrants that day since</p> <p>19 they were part of my team, they should be</p> <p>20 given credit for us doing a job and trying</p> <p>21 to pick people up on warrants?</p> <p>22 A. No. That practice was frowned</p> <p>23 upon, no.</p> <p>24 Q. Where did you learn that that</p>
<p style="text-align: right;">42</p> <p>1 of the team should be listed as part of the</p> <p>2 arrest?</p> <p>3 A. How I would determine?</p> <p>4 Q. Yes.</p> <p>5 A. Repeat your question one more time</p> <p>6 for me.</p> <p>7 Q. In terms of if you were involved</p> <p>8 in an arrest of somebody on a warrant that</p> <p>9 you were assigned to, and you were able to</p> <p>10 locate the individual to make the arrest,</p> <p>11 how would you determine what members of the</p> <p>12 team should also be listed as a part of the</p> <p>13 arrest?</p> <p>14 A. I would list whoever took part of</p> <p>15 me apprehending that person.</p> <p>16 Q. And what would -- what would that</p> <p>17 include in terms of who would be considered</p> <p>18 in taking a part in apprehending that</p> <p>19 person?</p> <p>20 A. Who would I include?</p> <p>21 Q. Yes.</p> <p>22 A. I would include the janitor if he</p> <p>23 gave me a tip. I mean, anybody -- I would</p> <p>24 have listed another officer who worked in</p>	<p style="text-align: right;">44</p> <p>1 practice was frowned upon?</p> <p>2 A. In the academy.</p> <p>3 Q. Did anyone at Fugitive</p> <p>4 Apprehensions ever instruct you on how to</p> <p>5 decide who should be included in an arrest,</p> <p>6 warrant arrest?</p> <p>7 A. I don't recall.</p> <p>8 Q. Did Sergeant Barnes ever tell you</p> <p>9 in any way how to fill out paperwork about</p> <p>10 who should be included on an arrest and who</p> <p>11 should not be included?</p> <p>12 A. No, I don't recall that.</p> <p>13 Q. Did any of Sergeant Barnes'</p> <p>14 supervisors, either Cesario or Salemme, ever</p> <p>15 tell you who should be involved or be</p> <p>16 included on your arrest report and who</p> <p>17 should not be?</p> <p>18 A. No, I don't recall that either.</p> <p>19 Q. Did you ever get any training from</p> <p>20 Lieutenant Cesario in how to go about</p> <p>21 conducting search warrant arrests?</p> <p>22 A. No.</p> <p>23 Q. Did you ever get any training from</p> <p>24 Lieutenant Salemme about how to go about</p>

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<p style="text-align: right;">45</p> <p>1 conducting search warrant arrests?</p> <p>2 A. No.</p> <p>3 Q. Did you ever get any training from</p> <p>4 Sergeant Barnes in conducting how to go</p> <p>5 about search warrant arrests?</p> <p>6 A. No.</p> <p>7 Q. Do you know what the VRI program</p> <p>8 is?</p> <p>9 A. Yes.</p> <p>10 Q. Are you aware of with the VRI</p> <p>11 program, are you aware of where officers are</p> <p>12 required to check out from and check in?</p> <p>13 A. Yes.</p> <p>14 Q. Where is that?</p> <p>15 A. 61st and Racine and Kedzie and</p> <p>16 Harrison.</p> <p>17 Q. In terms of when you say 61st and</p> <p>18 Racine, is that for checkout or check-in?</p> <p>19 A. For both.</p> <p>20 Q. And Kedzie and Harrison, is that</p> <p>21 for both?</p> <p>22 A. Yes.</p> <p>23 MR. TAREN: Can we take a break</p> <p>24 real quick.</p>	<p style="text-align: right;">47</p> <p>1 felt that you guys worked together well so</p> <p>2 that wasn't going to bother you, words to</p> <p>3 that effect?</p> <p>4 A. About by verbatim, I don't</p> <p>5 remember.</p> <p>6 Q. Words to that effect?</p> <p>7 A. I won't say that. But I will tell</p> <p>8 you that it never bothered me. It wasn't a</p> <p>9 big deal to me that they came from IAD.</p> <p>10 Q. Did you ever talk to them about</p> <p>11 their job before they came to Fugitive</p> <p>12 Apprehensions?</p> <p>13 A. At some point.</p> <p>14 Q. At what point?</p> <p>15 A. During the course of us working</p> <p>16 together, we have had several conversations.</p> <p>17 Q. Do you remember any of those</p> <p>18 conversations?</p> <p>19 A. One conversation that I do recall,</p> <p>20 they told me they worked in Narcotics.</p> <p>21 Q. How did that come up?</p> <p>22 A. I don't recall.</p> <p>23 Q. Do you know who said it to you?</p> <p>24 A. I don't recall that either.</p>
<p style="text-align: right;">46</p> <p>1 MR. SMITH: Why don't we take a</p> <p>2 break for a minute.</p> <p>3 (Whereupon, a break was taken</p> <p>4 from 2:17 p.m. to 2:23 p.m.)</p> <p>5 BY MR. SMITH:</p> <p>6 Q. Just to make it clear, there is</p> <p>7 different types of VRI in terms of -- are</p> <p>8 you aware there are different types of VRI,</p> <p>9 that there is VRI that's for the Fugitive</p> <p>10 Apprehension Unit?</p> <p>11 A. I don't know.</p> <p>12 Q. In terms of do you know where the</p> <p>13 check-out and check-in for VRI in connection</p> <p>14 with people who work in Fugitive</p> <p>15 Apprehensions is?</p> <p>16 A. I don't know that. When I was in</p> <p>17 Fugitive, I didn't have a chance to work</p> <p>18 VRI. I don't -- I didn't have a chance to</p> <p>19 work with it.</p> <p>20 Q. Did you ever tell Danny or Shannon</p> <p>21 that you weren't worried about where they</p> <p>22 came from?</p> <p>23 A. Correct.</p> <p>24 Q. Did you ever tell them that you</p>	<p style="text-align: right;">48</p> <p>1 Q. Do you have any idea of what the</p> <p>2 conversation was about other than that they</p> <p>3 came from Narcotics?</p> <p>4 MR. KING: Object to form.</p> <p>5 Misstates the testimony. It wasn't that</p> <p>6 they came from Narcotics.</p> <p>7 BY MR. SMITH:</p> <p>8 Q. They worked in Narcotics?</p> <p>9 A. I don't know.</p> <p>10 Q. Any other conversations you</p> <p>11 remember from either Danny or Shannon about</p> <p>12 what kind of work they had done as police</p> <p>13 officers before they came to Fugitive</p> <p>14 Apprehension?</p> <p>15 A. I don't recall that.</p> <p>16 Q. Do you recall any conversations</p> <p>17 with Danny or Shannon about what they</p> <p>18 thought of the Fugitive Apprehension Unit?</p> <p>19 A. I don't recall that either.</p> <p>20 Q. Do you recall any conversations</p> <p>21 with Danny or Shannon about what they</p> <p>22 thought of Sergeant Barnes?</p> <p>23 A. No.</p> <p>24 Q. Do you recall any conversation</p>

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<p style="text-align: right;">49</p> <p>1 with Danny or Shannon about what they</p> <p>2 thought of Lieutenant Cesario?</p> <p>3 A. No.</p> <p>4 Q. Do you recall any conversations</p> <p>5 with Danny or Shannon about what they</p> <p>6 thought of Tom Mills, or Sergeant Mills?</p> <p>7 A. No.</p> <p>8 Q. Do you recall any conversations</p> <p>9 with Danny or Shannon about what they</p> <p>10 thought about Commander Saleme?</p> <p>11 A. No.</p> <p>12 Q. Did you ever learn that Danny and</p> <p>13 Shannon were being moved from Sergeant</p> <p>14 Barnes' team?</p> <p>15 A. What's your question again?</p> <p>16 Q. Did you ever learn that Danny or</p> <p>17 Shannon was going to be moved from Sergeant</p> <p>18 Barnes' team?</p> <p>19 A. I am going to say no.</p> <p>20 Q. Did you ever have any conversation</p> <p>21 -- did you ever learn that Danny and Shannon</p> <p>22 were assigned to Sergeant Mills' team?</p> <p>23 A. What's your question again?</p> <p>24 Q. Did you ever learn that Danny and</p>	<p style="text-align: right;">51</p> <p>1 Shannon about what assignments they would</p> <p>2 have liked to have had?</p> <p>3 A. I don't know.</p> <p>4 Q. Did you ever talk with Danny or</p> <p>5 Shannon about what shift they would have</p> <p>6 liked to have had?</p> <p>7 A. No.</p> <p>8 Q. Did you ever talk with Danny or</p> <p>9 Shannon about you wanting to be a sergeant?</p> <p>10 A. Do I recall? No.</p> <p>11 Q. Did you ever talk to Danny about</p> <p>12 going to a funeral for one of your</p> <p>13 supervisor's wife -- or mother, rather?</p> <p>14 A. Who died?</p> <p>15 Q. I believe Cesario's mother.</p> <p>16 A. No, I don't recall the</p> <p>17 conversation. I don't --</p> <p>18 Q. Did you ever learn about any</p> <p>19 incident involving allegations that Shannon</p> <p>20 was recording somebody?</p> <p>21 A. I have heard that.</p> <p>22 Q. Who did you hear it from?</p> <p>23 A. I don't recall.</p> <p>24 Q. When did you hear it?</p>
<p style="text-align: right;">50</p> <p>1 Shannon were assigned to Sergeant Mills'</p> <p>2 team?</p> <p>3 A. Yes.</p> <p>4 Q. How did you learn that?</p> <p>5 A. Because they were no longer on my</p> <p>6 team.</p> <p>7 Q. Did you ever talk with anyone</p> <p>8 about that?</p> <p>9 A. No.</p> <p>10 Q. Did you ever ask why they were no</p> <p>11 longer on Barnes' team?</p> <p>12 A. No.</p> <p>13 Q. Did you ever ask Danny or Shannon</p> <p>14 why they were on Mills' team?</p> <p>15 A. I don't recall that.</p> <p>16 Q. Did you ever say good-bye to them,</p> <p>17 say nice working with you, or words to that</p> <p>18 effect?</p> <p>19 A. I don't recall that either.</p> <p>20 Q. Did you ever talk at all about --</p> <p>21 with Danny or Shannon about no longer</p> <p>22 working together?</p> <p>23 A. I don't know.</p> <p>24 Q. Did you ever talk to Danny or</p>	<p style="text-align: right;">52</p> <p>1 A. I don't know.</p> <p>2 Q. Where were you when you heard it?</p> <p>3 Were you on the job? Were you on the job or</p> <p>4 off?</p> <p>5 A. I don't know.</p> <p>6 Q. Did you ever have any</p> <p>7 conversations with either Shannon or Danny</p> <p>8 about those allegations?</p> <p>9 A. Yes.</p> <p>10 Q. Who did you have a conversation</p> <p>11 with?</p> <p>12 A. Both of them.</p> <p>13 Q. Where was this conversation?</p> <p>14 A. That I don't remember.</p> <p>15 Q. Was it on the job or off the job?</p> <p>16 A. On the job.</p> <p>17 Q. Who were you assigned to at the</p> <p>18 time?</p> <p>19 A. Area 2 Apprehension team.</p> <p>20 Q. Where were they assigned?</p> <p>21 A. Area 2 Apprehension team.</p> <p>22 Q. What was the conversation?</p> <p>23 A. I don't recall that verbatim.</p> <p>24 Q. Do you recall the gist of it?</p>

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<p style="text-align: right;">53</p> <p>1 A. No.</p> <p>2 Q. Do you recall anything that was</p> <p>3 said?</p> <p>4 A. No.</p> <p>5 Q. Do you recall who brought it up?</p> <p>6 A. I don't recall that either.</p> <p>7 Q. Do you recall having any sense or</p> <p>8 feeling about if you thought it was fair or</p> <p>9 not fair that these allegations were being</p> <p>10 made?</p> <p>11 MR. KING: Object to the lack of</p> <p>12 foundation.</p> <p>13 You can answer.</p> <p>14 THE WITNESS: What's your question</p> <p>15 again?</p> <p>16 BY MR. SMITH:</p> <p>17 Q. Did you have any feelings about</p> <p>18 whether you thought the situation or the</p> <p>19 allegations were fair or unfair?</p> <p>20 A. I have no feelings at all.</p> <p>21 Towards that, I have no feelings at all, no.</p> <p>22 Q. Did you ever have any</p> <p>23 conversations -- when did you learn that</p> <p>24 there was a lawsuit filed by Danny or</p>	<p style="text-align: right;">55</p> <p>1 Q. Did you know that Lorne Gushiniere</p> <p>2 was going to be deposed at that time?</p> <p>3 A. Yes.</p> <p>4 Q. Did you talk about what Lorne</p> <p>5 Gushiniere was going to say during the</p> <p>6 deposition?</p> <p>7 A. No.</p> <p>8 Q. Did you talk about the meeting in</p> <p>9 which Danny had indicated that officers</p> <p>10 should get to know him?</p> <p>11 A. What's your question again?</p> <p>12 Q. Did you talk with Lorne Gushiniere</p> <p>13 about the fact about the meeting in which</p> <p>14 Danny had said words to the effect of, you</p> <p>15 guys should get to know me. We could have a</p> <p>16 beer, that kind of thing?</p> <p>17 A. No.</p> <p>18 Q. Did you talk at all with Lorne</p> <p>19 Gushiniere about Barnes relating to you that</p> <p>20 they worked for IAD?</p> <p>21 A. No.</p> <p>22 Q. In terms of Barnes -- when Barnes</p> <p>23 related to you that they worked for IAD, who</p> <p>24 else was present for that?</p>
<p style="text-align: right;">54</p> <p>1 Shannon?</p> <p>2 A. I don't know.</p> <p>3 Q. Did you ever talk with any of your</p> <p>4 team members about the lawsuit?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Who did you talk to about the</p> <p>7 lawsuit?</p> <p>8 A. Lorne Gushiniere.</p> <p>9 Q. Did you ever talk to Sergeant</p> <p>10 Barnes about the lawsuit?</p> <p>11 A. No.</p> <p>12 Q. Did you ever hear Sergeant Barnes</p> <p>13 talk about the lawsuit?</p> <p>14 A. No.</p> <p>15 Q. When did you talk to Lorne</p> <p>16 Gushiniere about the lawsuit?</p> <p>17 A. Early part of 2015, or first</p> <p>18 couple months of 2015. I don't know the</p> <p>19 exact date.</p> <p>20 Q. Was anyone else present?</p> <p>21 A. No.</p> <p>22 Q. Did you know you were going to be</p> <p>23 deposed at that time?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">56</p> <p>1 A. I don't know.</p> <p>2 Q. Were you on the job at the time?</p> <p>3 A. On duty, yes.</p> <p>4 Q. I might have already asked you</p> <p>5 this. How long before Danny and Shannon got</p> <p>6 there did that conversation occur?</p> <p>7 A. I don't know.</p> <p>8 Q. Was it days?</p> <p>9 A. I don't know. I don't know.</p> <p>10 Q. Was it hours before they arrived?</p> <p>11 A. I wouldn't say hours, no.</p> <p>12 Q. More than a day?</p> <p>13 A. I don't know how many days.</p> <p>14 Q. But definitely more -- definitely</p> <p>15 more than an hour before they had arrived?</p> <p>16 A. Yes, more than an hour.</p> <p>17 Q. When was the last time the team,</p> <p>18 if you recall, the team, Barnes and his</p> <p>19 team, had a team meeting before Danny and</p> <p>20 Shannon arrived?</p> <p>21 A. I don't know.</p> <p>22 Q. Was there a team meeting when</p> <p>23 Danny and Shannon got there?</p> <p>24 A. I don't recall that.</p>

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<p style="text-align: right;">57</p> <p>1 Q. Was there any type of introduction</p> <p>2 of the new members to the team?</p> <p>3 A. I don't recall that.</p> <p>4 Q. How did you first find out that</p> <p>5 you were going to be assigned to a car with</p> <p>6 Danny and Shannon?</p> <p>7 A. I wanted to work with Danny and</p> <p>8 Shannon.</p> <p>9 Q. What made you want to work with</p> <p>10 Danny and Shannon?</p> <p>11 A. They were new to the team. You</p> <p>12 know, I wanted to, you know, just embrace</p> <p>13 them with open arms. I wanted to work with</p> <p>14 them.</p> <p>15 Q. Did anyone else indicate that they</p> <p>16 wanted to work with them?</p> <p>17 A. I didn't have a conversation with</p> <p>18 anybody else regarding that.</p> <p>19 Q. Do you know who you were working</p> <p>20 with before they arrived on the team?</p> <p>21 A. I don't know.</p> <p>22 Q. Before they arrived on the team,</p> <p>23 did you usually work in a two-man car,</p> <p>24 three-man car -- three-person car, I should</p>	<p style="text-align: right;">59</p> <p>1 A. Yes.</p> <p>2 Q. Do you remember Kim's last name?</p> <p>3 A. No. But we all worked together.</p> <p>4 Q. Did you ask to work with them?</p> <p>5 A. Yes.</p> <p>6 Q. How did that happen?</p> <p>7 A. You know, it just happened. I'm</p> <p>8 sorry, I might have misspoke. Let me not</p> <p>9 say that I asked to work with them. Let me</p> <p>10 not say that.</p> <p>11 Just like, Danny and Shannon,</p> <p>12 you can work. Hey, I got a car, let's go</p> <p>13 out on the street.</p> <p>14 Q. Did Danny or Shannon have a car?</p> <p>15 A. No.</p> <p>16 Q. Did Lorne Gushiniere have a car?</p> <p>17 A. Yes.</p> <p>18 Q. What officers didn't have a car</p> <p>19 that were part of the Fugitive Apprehension</p> <p>20 team at that time, other than Danny and</p> <p>21 Shannon?</p> <p>22 A. Harry Strong, Milton Scott and</p> <p>23 Harry Strong. They rode together every day.</p> <p>24 I don't know if they both had cars or not.</p>
<p style="text-align: right;">58</p> <p>1 say?</p> <p>2 A. Correct.</p> <p>3 Q. A three-person car?</p> <p>4 A. Correct.</p> <p>5 Q. Is that because there were odd</p> <p>6 number of individuals in the unit?</p> <p>7 A. I was odd man out. I was the odd</p> <p>8 person.</p> <p>9 Q. How did you get the status as the</p> <p>10 odd person?</p> <p>11 A. Who knows. That's just the way</p> <p>12 things worked out for me.</p> <p>13 Q. How long were you the odd person</p> <p>14 in the unit?</p> <p>15 A. I was always -- 2009, 2010.</p> <p>16 Q. Was there an officer by the name</p> <p>17 of Kyle who was part of the Fugitive</p> <p>18 Apprehension Unit?</p> <p>19 A. Yes.</p> <p>20 Q. What was Kyle's last name, do you</p> <p>21 know, or was that the last name?</p> <p>22 A. Give me some time to think about</p> <p>23 it.</p> <p>24 Q. Was there a Kim also?</p>	<p style="text-align: right;">60</p> <p>1 I am not sure. They were always together.</p> <p>2 I don't know.</p> <p>3 Q. Did anyone ever besides you ever</p> <p>4 volunteer to work with Danny or Shannon in a</p> <p>5 car with regard to the Fugitive Apprehension</p> <p>6 team under Barnes?</p> <p>7 A. Not that I know of.</p> <p>8 Q. Have you worked in a car with</p> <p>9 everybody in your team over the course of</p> <p>10 your time with Sergeant Barnes?</p> <p>11 A. I don't remember ever riding with</p> <p>12 Harry and Milton. I have worked -- I don't</p> <p>13 recall with them, but definitely Tony and</p> <p>14 Lorne.</p> <p>15 Q. Anybody else on the team?</p> <p>16 A. I don't recall.</p> <p>17 Q. Is there anybody on the team that</p> <p>18 other officers wouldn't ride with and work a</p> <p>19 shift with that you know of?</p> <p>20 A. Not that I know of.</p> <p>21 Q. Was there anyone on the team that</p> <p>22 you knew of before Danny and Shannon got</p> <p>23 there that people did not wish to ride with?</p> <p>24 A. Not that I know of.</p>

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<p style="text-align: right;">61</p> <p>1 Q. Had you ever been told any other</p> <p>2 -- anyone other than Danny and Shannon had</p> <p>3 come from IAD during the entire time you</p> <p>4 were at Fugitive Apprehensions?</p> <p>5 A. Not that I know of.</p> <p>6 Q. Were you ever told where -- who on</p> <p>7 your team arrived after you to Fugitive</p> <p>8 Apprehensions other than Danny and Shannon?</p> <p>9 A. Kyle and Kim.</p> <p>10 Q. Were you told where they came from</p> <p>11 before they came?</p> <p>12 A. Yes.</p> <p>13 Q. Where did they come from?</p> <p>14 A. The 25th district.</p> <p>15 Q. Who told you that?</p> <p>16 A. Sergeant Barnes.</p> <p>17 Q. When did he tell you that?</p> <p>18 A. When they got there.</p> <p>19 Q. Do you know who told Sergeant</p> <p>20 Barnes that they came from the 25th</p> <p>21 district?</p> <p>22 A. I don't know.</p> <p>23 Q. Did you talk about the 25th</p> <p>24 district with Kyle or Kim?</p>	<p style="text-align: right;">63</p> <p>1 A. During the course of a year, I</p> <p>2 would say maybe five times. Maybe, maybe.</p> <p>3 Q. Five times on average during a</p> <p>4 year?</p> <p>5 A. A year, maybe, maybe.</p> <p>6 Q. When was the last time you had</p> <p>7 seen him?</p> <p>8 A. I don't know.</p> <p>9 Q. Was it over a month ago or over</p> <p>10 six months ago?</p> <p>11 A. I don't know. I don't know. I am</p> <p>12 not sure.</p> <p>13 Q. Do you think you have seen him</p> <p>14 this year? And by that, I mean calendar</p> <p>15 year.</p> <p>16 A. I am going to say no.</p> <p>17 Q. How about Shannon?</p> <p>18 A. No.</p> <p>19 Q. Have you seen her in the last</p> <p>20 year?</p> <p>21 A. No.</p> <p>22 Q. How many times would you say you</p> <p>23 have see Shannon since you stopped working</p> <p>24 with her?</p>
<p style="text-align: right;">62</p> <p>1 A. Yes.</p> <p>2 Q. Do you see Kyle or Kim at this</p> <p>3 point in your career?</p> <p>4 A. I might have seen them one time</p> <p>5 since they left the unit. Maybe once at the</p> <p>6 St. Jude party.</p> <p>7 Q. In terms of after -- after Danny</p> <p>8 was no longer in Barnes' unit, how often</p> <p>9 would you see him at Fugitive Apprehension?</p> <p>10 A. I don't know.</p> <p>11 Q. Would you see him fairly regularly</p> <p>12 at that point in time?</p> <p>13 A. No, not regularly, no.</p> <p>14 Q. More than once a week?</p> <p>15 A. No. Not at all, no.</p> <p>16 Q. Since working with Danny under</p> <p>17 Sergeant Barnes, how often have you seen</p> <p>18 him, would you say?</p> <p>19 A. I don't know. I don't know. I am</p> <p>20 not sure. I am not sure.</p> <p>21 Q. In terms of would you say it's</p> <p>22 over 50 times?</p> <p>23 A. Oh, nowhere near, no.</p> <p>24 Q. Over ten times?</p>	<p style="text-align: right;">64</p> <p>1 A. I can't recall the last time I</p> <p>2 have seen Shannon.</p> <p>3 Q. Did you ever communicate to Danny</p> <p>4 or Shannon by text messages?</p> <p>5 A. Yes.</p> <p>6 Q. In terms of how about after you no</p> <p>7 longer worked with them?</p> <p>8 A. Danny and I maintain</p> <p>9 communication.</p> <p>10 Q. What did you maintain</p> <p>11 communication with Danny about?</p> <p>12 A. We will talk about our daughters.</p> <p>13 I know he goes fishing, takes his daughter</p> <p>14 fishing.</p> <p>15 Q. Now you mentioned talking about</p> <p>16 the lawsuit with Lorne Gushiniere. What did</p> <p>17 you talk to him about in relation to that?</p> <p>18 A. That I was -- I had a court</p> <p>19 notification, and I had to sit down and talk</p> <p>20 with Corporation Counsel. That was the</p> <p>21 extent of our conversation.</p> <p>22 Q. Who was present for that</p> <p>23 conversation?</p> <p>24 A. It was over the telephone.</p>

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<p style="text-align: right;">65</p> <p>1 Q. Who called who?</p> <p>2 A. I don't know.</p> <p>3 I am sorry. I am wrong on</p> <p>4 this. I am wrong on this. He called me.</p> <p>5 Q. Do you know why he called you?</p> <p>6 A. To tell me that I was notified, to</p> <p>7 tell me that I had a court notification.</p> <p>8 Q. Why would Lorne Gushiniere notify</p> <p>9 you that you had a court notification?</p> <p>10 A. Because he had a court</p> <p>11 notification, too.</p> <p>12 Q. Do you know how he came to know</p> <p>13 that you had one?</p> <p>14 A. I think there was an email that</p> <p>15 was sent out.</p> <p>16 Q. Did you ever see this email?</p> <p>17 A. No.</p> <p>18 Q. Were you part of the same team at</p> <p>19 that point in time?</p> <p>20 MR. KING: Did you finish your</p> <p>21 answer?</p> <p>22 THE WITNESS: I want to correct</p> <p>23 something. At that time of the telephone</p> <p>24 call, I had not seen the email yet. I did</p>	<p style="text-align: right;">67</p> <p>1 Q. More than once a week?</p> <p>2 A. Oh, nowhere near. Not even once a</p> <p>3 month.</p> <p>4 Q. When you say, "not even once a</p> <p>5 month," do you think it's close to once a</p> <p>6 month?</p> <p>7 A. No.</p> <p>8 Q. About how much then?</p> <p>9 A. I don't know. I don't know. It's</p> <p>10 not once a month.</p> <p>11 Q. It's more than once a year?</p> <p>12 A. Yes.</p> <p>13 Q. More than twice a year?</p> <p>14 A. Yes.</p> <p>15 Q. How long have you known Lorne</p> <p>16 Gushiniere?</p> <p>17 A. 2008.</p> <p>18 Q. Did you ever socialize with him</p> <p>19 off the job?</p> <p>20 A. No.</p> <p>21 Q. Any members of the team that you</p> <p>22 socialized with off the job?</p> <p>23 A. Christmas parties, we have</p> <p>24 socialized. Tony and Lorne have gone to my</p>
<p style="text-align: right;">66</p> <p>1 see the email some time after that.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. You sent an email to somebody</p> <p>4 else?</p> <p>5 A. No.</p> <p>6 MR. KING: He saw the email.</p> <p>7 THE WITNESS: I saw the email.</p> <p>8 BY MR. SMITH:</p> <p>9 Q. How long was that telephone</p> <p>10 conversation?</p> <p>11 A. I don't know.</p> <p>12 Q. How often did you talk to -- what</p> <p>13 timeframe are we talking about, again in</p> <p>14 terms of when you found out you were going</p> <p>15 to be deposed? Beginning of 2015, did you</p> <p>16 say?</p> <p>17 A. Correct.</p> <p>18 Q. You were no longer working with</p> <p>19 Lorne Gushiniere at that point in time,</p> <p>20 correct?</p> <p>21 A. Correct.</p> <p>22 Q. How often do you talk to Lorne</p> <p>23 Gushiniere?</p> <p>24 A. I don't know.</p>	<p style="text-align: right;">68</p> <p>1 mother's house before for dinner.</p> <p>2 Q. Lorne Gushiniere?</p> <p>3 A. Correct. He's been to my mother's</p> <p>4 house for dinner once or twice over -- since</p> <p>5 2008. But I don't go over to his house. I</p> <p>6 don't know his address.</p> <p>7 Q. Anyone other than Lorne Gushiniere</p> <p>8 did you find out -- and I am not talking</p> <p>9 about conversations with your attorney or</p> <p>10 anything like that. Did you find out from</p> <p>11 anyone else that they were being deposed in</p> <p>12 connection with this lawsuit?</p> <p>13 A. What's your question?</p> <p>14 Q. Other than Lorne Gushiniere, did</p> <p>15 you find out about anybody else being</p> <p>16 deposed in this lawsuit?</p> <p>17 A. Yes.</p> <p>18 Q. Who?</p> <p>19 A. I don't know all the names.</p> <p>20 Q. In terms of conversations, did you</p> <p>21 have any conversations with any other</p> <p>22 people, police officers, who were being</p> <p>23 deposed in this lawsuit?</p> <p>24 A. No.</p>

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<p style="text-align: right;">69</p> <p>1 Q. Do you know who gives out the</p> <p>2 assignments for Fugitive Apprehensions?</p> <p>3 A. I don't recall.</p> <p>4 MR. KING: Let me just object to</p> <p>5 the lack of foundation. I assume we are</p> <p>6 talking about when he was there and when</p> <p>7 Danny and Shannon were there?</p> <p>8 MR. SMITH: When you were there,</p> <p>9 I'm sorry.</p> <p>10 BY MR. SMITH:</p> <p>11 Q. When you were working for Sergeant</p> <p>12 Barnes, do you know who gave out the</p> <p>13 assignments?</p> <p>14 A. Assignments would come from --</p> <p>15 what's her name?</p> <p>16 Q. Jan Hanna?</p> <p>17 A. Sometimes they would come from</p> <p>18 her, but there was another officer.</p> <p>19 Q. Dougan?</p> <p>20 A. No. Whitney -- I can't remember</p> <p>21 her name. Whitney -- she got married. Her</p> <p>22 maiden name was Russo, but she got married a</p> <p>23 couple of years ago.</p> <p>24 Q. And do you know -- have you ever</p>	<p style="text-align: right;">71</p> <p>1 THE WITNESS: I don't understand</p> <p>2 your question.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. Did you know who would -- did you</p> <p>5 know Lieutenant Cesario's role in handing</p> <p>6 out assignments?</p> <p>7 MR. KING: And also, just object,</p> <p>8 I just want to be clear, he is being asked</p> <p>9 about the time when Danny and Shannon were</p> <p>10 on Barnes' team?</p> <p>11 MR. SMITH: Correct.</p> <p>12 MR. KING: Thank you.</p> <p>13 THE WITNESS: His role in it?</p> <p>14 BY MR. SMITH:</p> <p>15 Q. Yes.</p> <p>16 A. I guess his role was he's the</p> <p>17 lieutenant of police. He could do whatever</p> <p>18 he wanted to do.</p> <p>19 Q. In terms of -- do you recall any</p> <p>20 homicides being -- warrants being assigned</p> <p>21 to Danny or Shannon?</p> <p>22 A. I don't recall.</p> <p>23 Q. None that you recall?</p> <p>24 A. Not that I recall, no.</p>
<p style="text-align: right;">70</p> <p>1 heard Jan Hanna -- have you ever heard</p> <p>2 anything about Jan Hanna signing an</p> <p>3 affidavit or making a statement about how</p> <p>4 cases were assigned to Danny and Shannon?</p> <p>5 A. An affidavit?</p> <p>6 Q. Or a statement to the press or on</p> <p>7 TV.</p> <p>8 A. I saw her on T.V.</p> <p>9 Q. Are you aware that -- now, you</p> <p>10 would agree that when you were working under</p> <p>11 Barnes, Cesario was Barnes' immediate</p> <p>12 supervisor, correct?</p> <p>13 A. Correct.</p> <p>14 Q. And the sergeants were Sergeant</p> <p>15 Mills, Barnes, Stack and Melean and Tirado.</p> <p>16 Is that your understanding or belief?</p> <p>17 A. I believe that.</p> <p>18 Q. Are you aware of how -- in terms</p> <p>19 of -- would you have any reason to believe</p> <p>20 that it wasn't true that Lieutenant Cesario</p> <p>21 would instruct Jan Hanna to assign cases on</p> <p>22 who to give them to?</p> <p>23 MR. KING: Object to the form of</p> <p>24 the question. Go ahead.</p>	<p style="text-align: right;">72</p> <p>1 Q. Do you recall any assignments</p> <p>2 being taken away from Danny and Shannon?</p> <p>3 A. I don't recall that offhand, no.</p> <p>4 Q. Did you ever hear about Shannon</p> <p>5 Spalding being prohibited from going to</p> <p>6 Homan Square?</p> <p>7 A. Is that possible? I'm sorry.</p> <p>8 MR. KING: Just answer his</p> <p>9 question.</p> <p>10 THE WITNESS: No.</p> <p>11 BY MR. SMITH:</p> <p>12 Q. Have you ever heard of any officer</p> <p>13 being banned from Homan Square?</p> <p>14 A. No.</p> <p>15 Q. Now, you indicated you knew an</p> <p>16 officer Kevin Williams, correct?</p> <p>17 A. Correct.</p> <p>18 Q. When did you first meet Kevin</p> <p>19 Williams?</p> <p>20 A. 2008.</p> <p>21 Q. When Danny and Shannon came to</p> <p>22 Fugitive Apprehensions, were you aware that</p> <p>23 Kevin Williams was working under a Sergeant</p> <p>24 Mason?</p>

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<p>1 A. No.</p> <p>2 Q. Were you aware which team Kevin</p> <p>3 Williams was working in?</p> <p>4 A. No.</p> <p>5 Q. Did you ever become aware that</p> <p>6 Sergeant Mason warned Kevin Williams and his</p> <p>7 partner to be careful talking with Spalding</p> <p>8 and Echeverria?</p> <p>9 A. No.</p> <p>10 Q. Have you ever had a situation</p> <p>11 where Sergeant Barnes told you to write an</p> <p>12 arrest report for an arrestee that you</p> <p>13 weren't present for?</p> <p>14 A. No.</p> <p>15 Q. Have you ever had any situations</p> <p>16 with Sergeant Barnes where he took you aside</p> <p>17 into a room to verbally reprimand you in any</p> <p>18 way?</p> <p>19 A. Yes.</p> <p>20 Q. How often has that happened?</p> <p>21 A. Once a month.</p> <p>22 Q. What was the nature of any of</p> <p>23 those?</p> <p>24 A. They could be anything. I don't</p>	<p>1 recommendation for you to become a sergeant?</p> <p>2 A. He didn't have to.</p> <p>3 Q. Why is that?</p> <p>4 A. I scored well enough on my own.</p> <p>5 Q. Did you ever get a negative</p> <p>6 performance evaluation from Sergeant Barnes?</p> <p>7 A. No.</p> <p>8 Q. How long have you known Sergeant</p> <p>9 Barnes?</p> <p>10 A. Since 2008.</p> <p>11 Q. Do you still see him at all?</p> <p>12 A. No.</p> <p>13 Q. Were you ever personal friends</p> <p>14 with Sergeant Barnes?</p> <p>15 A. No.</p> <p>16 Q. Did you ever find Officer Spalding</p> <p>17 or Echeverria to be less than professional</p> <p>18 in their work ethic?</p> <p>19 A. Less than professional work ethic?</p> <p>20 Q. Yes.</p> <p>21 A. No.</p> <p>22 Q. Did Sergeant Barnes ever in any</p> <p>23 way give you any type of speech about, you</p> <p>24 know, if you didn't do things right, you</p>
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<p>1 recall. I don't know.</p> <p>2 Q. You don't remember any of them?</p> <p>3 A. Mostly about numbers, numbers of</p> <p>4 arrests, arrests.</p> <p>5 Q. Would he do that with other</p> <p>6 members of the team?</p> <p>7 A. Yes.</p> <p>8 Q. Generally once a month?</p> <p>9 A. I can't speak on that, but I do</p> <p>10 know with me.</p> <p>11 Q. Well, did you feel like he was</p> <p>12 doing it with you more than other members of</p> <p>13 the team?</p> <p>14 A. Yes.</p> <p>15 Q. Why is that?</p> <p>16 A. I don't know.</p> <p>17 Q. Did you think that was fair?</p> <p>18 A. Never thought about it.</p> <p>19 Q. What makes you think he did it</p> <p>20 with you more?</p> <p>21 A. He was just always calling me</p> <p>22 aside, just always reprimanding me about</p> <p>23 something.</p> <p>24 Q. Did he write you any kind of</p>	<p>1 could end up coming home in a box? I am not</p> <p>2 saying threatened you like that. I am</p> <p>3 saying, did he ever give you a speech like</p> <p>4 that?</p> <p>5 Is that something that he</p> <p>6 would say is that the streets are dangerous,</p> <p>7 you know, that if you don't do this, you</p> <p>8 could end up in a box?</p> <p>9 A. We have had conversations like</p> <p>10 that.</p> <p>11 Q. What were the circumstances for</p> <p>12 those conversations?</p> <p>13 A. Along the lines of talking about</p> <p>14 tactics, along the lines of being safe.</p> <p>15 Q. When did you have that</p> <p>16 conversation?</p> <p>17 A. We had more than one conversation</p> <p>18 like that, but I can't remember the dates</p> <p>19 and times.</p> <p>20 Q. Did you ever hear anyone else talk</p> <p>21 about a conversation with Barnes like that?</p> <p>22 A. Yes.</p> <p>23 Q. Who?</p> <p>24 A. We have had those conversations as</p>

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<p style="text-align: right;">77</p> <p>1 a team. It happens frequently.</p> <p>2 Q. Does it happen in the team</p> <p>3 meetings?</p> <p>4 A. I would say -- I would say, no.</p> <p>5 Q. You remember those conversations</p> <p>6 happening frequently, but you are confident</p> <p>7 they didn't happen during one of the team</p> <p>8 meetings?</p> <p>9 A. I am confident that it happened</p> <p>10 frequently. We didn't call team -- I mean,</p> <p>11 team meetings, you know, to talk about that.</p> <p>12 I am not saying that never occurred in a</p> <p>13 team meeting. But we have had</p> <p>14 conversations.</p> <p>15 Q. Is it possible that it occurred in</p> <p>16 a team meeting where Danny spoke up about</p> <p>17 people who wanted to get to know him and who</p> <p>18 he was?</p> <p>19 MR. KING: Object to the form and</p> <p>20 asked and answered.</p> <p>21 You can answer.</p> <p>22 THE WITNESS: I don't recall that.</p> <p>23 BY MR. SMITH:</p> <p>24 Q. Are you aware of if Barnes ever</p>	<p style="text-align: right;">79</p> <p>1 Q. So as far as you were concerned,</p> <p>2 is it fair to say that you thought it was</p> <p>3 okay to talk about where Danny and Shannon</p> <p>4 had come from, where Sergeant Barnes had</p> <p>5 told you Shannon and Danny had come from?</p> <p>6 A. That it was okay?</p> <p>7 Q. Yes.</p> <p>8 A. What do you mean? I don't --</p> <p>9 Q. I mean, you felt it was okay for</p> <p>10 you to talk freely with people about where</p> <p>11 Barnes had told you Danny and Shannon had</p> <p>12 come from?</p> <p>13 A. I don't -- Afraid to talk about</p> <p>14 it? Afraid to?</p> <p>15 Q. You know, that you had no</p> <p>16 restriction, or it was okay? It wasn't</p> <p>17 anything bad to talk about?</p> <p>18 A. No.</p> <p>19 Q. Have you ever in any way known of</p> <p>20 situations where it's important that people</p> <p>21 don't know who is from IAD and who is?</p> <p>22 MR. KING: Object to the lack of</p> <p>23 foundation. But if you understand, you can</p> <p>24 answer.</p>
<p style="text-align: right;">78</p> <p>1 had a conversation like that with Shannon</p> <p>2 Spalding?</p> <p>3 A. I don't know.</p> <p>4 Q. Would Shannon Spalding have been</p> <p>5 present for any of those situations that you</p> <p>6 are talking about where he brought up, you</p> <p>7 know, that we had to be careful, or you</p> <p>8 could end up in a box?</p> <p>9 A. I don't recall.</p> <p>10 Q. Did Sergeant Barnes in any way</p> <p>11 instruct you not to tell Danny or Shannon</p> <p>12 about what he had told you about where they</p> <p>13 had come from?</p> <p>14 A. No.</p> <p>15 Q. Did Sergeant Barnes in any way</p> <p>16 tell people not to spread it around that</p> <p>17 they came from IAD?</p> <p>18 A. No.</p> <p>19 Q. Did you ever work in IAD?</p> <p>20 A. No.</p> <p>21 Q. Did you ever know of any other</p> <p>22 Fugitive Apprehension officers who worked in</p> <p>23 IAD?</p> <p>24 A. Not that I know of.</p>	<p style="text-align: right;">80</p> <p>1 THE WITNESS: I don't understand.</p> <p>2 BY MR. SMITH:</p> <p>3 Q. Well, if -- let's start with this:</p> <p>4 If Sergeant Barnes -- if Danny or Shannon,</p> <p>5 or any other officer, for that matter, was</p> <p>6 actively working for IAD undercover, do you</p> <p>7 think that it would be appropriate for</p> <p>8 Sergeant Barnes to have told you that they</p> <p>9 were in IAD?</p> <p>10 MR. KING: Object to the form and</p> <p>11 relevance.</p> <p>12 BY MR. SMITH:</p> <p>13 Q. Would you question that in any</p> <p>14 way?</p> <p>15 A. No.</p> <p>16 Q. So, you know, did you know whether</p> <p>17 or not Danny or Shannon were currently</p> <p>18 working in IAD, or that was something that</p> <p>19 had already ended?</p> <p>20 A. Currently ended? I don't --</p> <p>21 Q. When you had a conversation with</p> <p>22 Barnes, did he tell you that they were no</p> <p>23 longer working with IAD, or they were still</p> <p>24 with IAD?</p>

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<p style="text-align: right;">81</p> <p>1 A. I don't know.</p> <p>2 Q. Did he tell you that they were</p> <p>3 undercover, or they weren't undercover with</p> <p>4 IAD?</p> <p>5 A. I don't recall.</p> <p>6 Q. What's your understanding of what</p> <p>7 an officer in IAD would be doing?</p> <p>8 A. My understanding?</p> <p>9 Q. Yes.</p> <p>10 A. I really don't know much about</p> <p>11 IAD. I can't tell you, you know, totally</p> <p>12 what their functions are. I don't know.</p> <p>13 Q. You are a sergeant now, correct?</p> <p>14 A. Correct.</p> <p>15 Q. Do you have people working under</p> <p>16 you?</p> <p>17 A. Correct.</p> <p>18 Q. If you learned that an individual</p> <p>19 was working undercover in IAD, would you</p> <p>20 feel like it was your job as sergeant to</p> <p>21 tell the people who work under you that they</p> <p>22 work for IAD?</p> <p>23 MR. KING: Object to the form of</p> <p>24 the question, calling for speculation.</p>	<p style="text-align: right;">83</p> <p>1 formerly with IAD or currently with IAD,</p> <p>2 correct?</p> <p>3 A. Correct.</p> <p>4 Q. Do you see anything wrong with</p> <p>5 people who were being investigated by IAD</p> <p>6 being informed that somebody was from IAD?</p> <p>7 MR. KING: Object to the form,</p> <p>8 lack of foundation, calling for speculation.</p> <p>9 If you understand his</p> <p>10 question, you can answer.</p> <p>11 THE WITNESS: I don't know. I</p> <p>12 never thought -- I don't know.</p> <p>13 BY MR. SMITH:</p> <p>14 Q. So when Barnes let you know that</p> <p>15 they were from IAD, was that something where</p> <p>16 it was a situation where it just slipped out</p> <p>17 in conversation, or was it a conversation</p> <p>18 that was actually about it, and where they</p> <p>19 came from?</p> <p>20 MR. KING: Object to form, asked</p> <p>21 and answered. Tell him again.</p> <p>22 THE WITNESS: I don't know.</p> <p>23 BY MR. SMITH:</p> <p>24 Q. Did you get any training as a</p>
<p style="text-align: right;">82</p> <p>1 You can answer if you can.</p> <p>2 THE WITNESS: I don't know.</p> <p>3 BY MR. SMITH:</p> <p>4 Q. So if you found out somebody was</p> <p>5 working in your unit who was working</p> <p>6 undercover with IAD, what would you do with</p> <p>7 that information? Would you tell anyone in</p> <p>8 your -- who worked underneath you?</p> <p>9 MR. KING: Same objections to</p> <p>10 speculation, relevance, assuming facts not</p> <p>11 in evidence, but you can answer.</p> <p>12 THE WITNESS: I don't know.</p> <p>13 BY MR. SMITH:</p> <p>14 Q. Did anybody ever ask any</p> <p>15 questions, to your knowledge, to Sergeant</p> <p>16 Barnes about what their position at IAD was?</p> <p>17 A. I have no knowledge of that.</p> <p>18 Q. You wouldn't have been concerned</p> <p>19 if they were working undercover with IAD</p> <p>20 because you don't feel like you do anything</p> <p>21 inappropriate on the job, correct?</p> <p>22 A. Correct.</p> <p>23 Q. So it's fair to say it wouldn't</p> <p>24 concern you personally whether they were</p>	<p style="text-align: right;">84</p> <p>1 sergeant?</p> <p>2 A. Training for what?</p> <p>3 Q. When you get moved from, you know,</p> <p>4 patrol or your position below sergeant to</p> <p>5 sergeant, is there any kind of sergeant</p> <p>6 training?</p> <p>7 A. Yes.</p> <p>8 Q. Are sergeants trained that if they</p> <p>9 find out somebody works for IAD that they</p> <p>10 should let everybody in their command know</p> <p>11 about it?</p> <p>12 A. I don't understand your question.</p> <p>13 Training. I don't know.</p> <p>14 Q. I am trying to figure out with</p> <p>15 Sergeant Barnes and Sergeant Mason or people</p> <p>16 that are in the position to pass on</p> <p>17 information about where somebody -- when</p> <p>18 somebody is with IAD or not, is that</p> <p>19 something you are trained to do, to say --</p> <p>20 if you find out that somebody works in IAD,</p> <p>21 are you trained as a sergeant to pass it on</p> <p>22 to the people who work underneath you?</p> <p>23 A. I think it's common knowledge that</p> <p>24 in the department when somebody is moved</p>

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<p style="text-align: right;">85</p> <p>1 from one place to another, that is something</p> <p>2 that's called a transfer order. So what was</p> <p>3 said was going to be in print anyway.</p> <p>4 So I am not understanding your</p> <p>5 question.</p> <p>6 Everybody who came to the</p> <p>7 unit, you knew where they came from.</p> <p>8 So-and-so came from 4th, someone transferred</p> <p>9 from the 10th district, someone came from</p> <p>10 IAD, and so -- and it's in print, too, as</p> <p>11 well, so.</p> <p>12 MR. TAREN: Can we take a break?</p> <p>13 MR. SMITH: We are almost done.</p> <p>14 (Whereupon, a break was taken</p> <p>15 from 3:15 p.m. to 3:18 p.m.)</p> <p>16 BY MR. SMITH:</p> <p>17 Q. Hypothetically speaking, as a</p> <p>18 sergeant, if you learned that somebody was</p> <p>19 in IAD, if you happened to come across</p> <p>20 information on that, would you tell anyone</p> <p>21 about it?</p> <p>22 MR. KING: Object to the form of</p> <p>23 the question.</p> <p>24</p>	<p style="text-align: right;">87</p> <p>1 MR. SMITH: And you are trying to</p> <p>2 give him the words to use because I started</p> <p>3 with the fact that I am saying</p> <p>4 hypothetically speaking here, which was</p> <p>5 clear as all heck.</p> <p>6 BY MR. SMITH:</p> <p>7 Q. So hypothetically speaking again,</p> <p>8 I am asking you as a sergeant, if you had</p> <p>9 information that somebody came from IAD,</p> <p>10 would you tell your supervisor about that --</p> <p>11 MR. KING: And my --</p> <p>12 BY MR. SMITH:</p> <p>13 Q. -- leading up the chain towards</p> <p>14 lieutenant, or whomever would be your</p> <p>15 supervisor?</p> <p>16 MR. KING: The same objections.</p> <p>17 And my law school training tells me that</p> <p>18 when someone starts a question with a</p> <p>19 hypothetical question, it's probably an</p> <p>20 inappropriate question.</p> <p>21 So I object to speculation</p> <p>22 that it calls for, the lack of foundation in</p> <p>23 the hypothetical. But the witness can</p> <p>24 certainly give his best answer to the</p>
<p style="text-align: right;">86</p> <p>1 BY MR. SMITH:</p> <p>2 Q. Let's start with this. Would you</p> <p>3 go to your supervisor about it?</p> <p>4 MR. KING: Object to the form of</p> <p>5 the question. Counsel, are we now saying</p> <p>6 your plaintiffs were in IAD when they came</p> <p>7 to Fugitive Apprehension?</p> <p>8 MR. SMITH: It's your clients who</p> <p>9 said that, not me.</p> <p>10 MR. KING: No. My client and this</p> <p>11 witness has testified as to what was said</p> <p>12 about where they came from.</p> <p>13 MR. SMITH: Okay.</p> <p>14 MR. KING: Whether that's true or</p> <p>15 not. And now you are asking questions about</p> <p>16 people being inside of IAD, which has</p> <p>17 nothing to do with this lawsuit.</p> <p>18 MR. SMITH: I am asking him a</p> <p>19 hypothetical question, as I phrased it that</p> <p>20 way, so clearly you are making a speaking</p> <p>21 objection that you want to testify -- have</p> <p>22 him testify exactly the same way, which is</p> <p>23 clearer than all heck on the record.</p> <p>24 MR. KING: I don't --</p>	<p style="text-align: right;">88</p> <p>1 question as he understands it.</p> <p>2 She can even read back the</p> <p>3 question to you if you need it.</p> <p>4 THE WITNESS: I am just going to</p> <p>5 refuse to answer the question. I don't</p> <p>6 know. Hypothetically, I could give you ten</p> <p>7 different answers.</p> <p>8 MR. SMITH: Okay.</p> <p>9 THE WITNESS: I don't have that</p> <p>10 many answers. I don't know.</p> <p>11 BY MR. SMITH:</p> <p>12 Q. Would any of those answers be I</p> <p>13 would tell the people who would work</p> <p>14 underneath me?</p> <p>15 A. I don't know the answer. I truly</p> <p>16 don't know it. I could -- I don't know.</p> <p>17 Q. You are aware that Sergeant Barnes</p> <p>18 and the rest of the sergeants occasionally</p> <p>19 have meetings with Lieutenant Cesario?</p> <p>20 A. I wasn't -- okay.</p> <p>21 Q. First of all, you are not in those</p> <p>22 meetings, correct?</p> <p>23 A. Correct.</p> <p>24 Q. But you are aware they happen,</p>

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<p style="text-align: right;">89</p> <p>1 correct, or maybe you're not?</p> <p>2 A. I was not aware.</p> <p>3 Q. You have never seen, for instance,</p> <p>4 a meeting between Lieutenant Cesario and the</p> <p>5 sergeants?</p> <p>6 A. No.</p> <p>7 Q. Have you ever seen -- do you know</p> <p>8 where Lieutenant Cesario's office is?</p> <p>9 A. Yes.</p> <p>10 Q. Have you ever seen the sergeants</p> <p>11 in his office?</p> <p>12 A. All the sergeants, no.</p> <p>13 Q. Sergeant Barnes?</p> <p>14 A. I can't recall seeing Sergeant</p> <p>15 Barnes in Lieutenant Cesario's office.</p> <p>16 Q. Ever during the entire time you</p> <p>17 were in Fugitive Apprehensions?</p> <p>18 A. I can't recall that.</p> <p>19 Q. Did you have any kind of desk when</p> <p>20 you were working in Fugitive Apprehensions</p> <p>21 under Sergeant Barnes?</p> <p>22 A. Repeat the question.</p> <p>23 Q. Did you have any kind of a desk</p> <p>24 when you were working in Fugitive</p>	<p style="text-align: right;">91</p> <p>1 Q. Any of the desks?</p> <p>2 A. No.</p> <p>3 Q. Were they on the same floor?</p> <p>4 A. Yes.</p> <p>5 Q. Would you pass by the area where</p> <p>6 Lieutenant Cesario's desk was to get to the</p> <p>7 desk?</p> <p>8 A. No.</p> <p>9 Q. Did Sergeant Barnes have an</p> <p>10 office?</p> <p>11 A. No.</p> <p>12 Q. Where would Sergeant Barnes work</p> <p>13 if he had to work? Did he have a set</p> <p>14 station that was his own desk or anything?</p> <p>15 A. The sergeants shared an office,</p> <p>16 maybe about the size of this room, that had</p> <p>17 some desks in it. He had his own desk.</p> <p>18 Q. Did you ever see Lieutenant</p> <p>19 Cesario in the sergeant's office with</p> <p>20 Sergeant Barnes?</p> <p>21 A. Yes.</p> <p>22 Q. Did you ever see him in the</p> <p>23 sergeant's office with all the sergeants at</p> <p>24 the time that Danny and Shannon were in</p>
<p style="text-align: right;">90</p> <p>1 Apprehensions under Sergeant Barnes?</p> <p>2 A. No.</p> <p>3 Q. Did you have a work station?</p> <p>4 A. Officers typically didn't have</p> <p>5 assigned desks.</p> <p>6 Q. Where would you go to work if you</p> <p>7 needed a desk?</p> <p>8 A. When I go to the station, if I saw</p> <p>9 an open spot that was not a regular spot for</p> <p>10 somebody else, I would sit there. But I did</p> <p>11 not have an assigned station. I didn't have</p> <p>12 an assigned table.</p> <p>13 Q. How far would those desks be from</p> <p>14 Lieutenant Cesario's office?</p> <p>15 A. Because I sat at a different desk</p> <p>16 when I was at Homan Square, I can't tell</p> <p>17 you. I don't know.</p> <p>18 Q. Was it more than 100 feet away?</p> <p>19 A. Could be.</p> <p>20 Q. Could you see Sergeant Cesario's</p> <p>21 office from any of the desks that you would</p> <p>22 use?</p> <p>23 A. You couldn't see his office</p> <p>24 from --</p>	<p style="text-align: right;">92</p> <p>1 Fugitive Apprehensions with you?</p> <p>2 A. No.</p> <p>3 Q. Just in terms of -- have you ever</p> <p>4 heard the term "rats" in connection with</p> <p>5 police officers?</p> <p>6 A. Yes.</p> <p>7 Q. What's your understanding of what</p> <p>8 that would mean?</p> <p>9 A. My understanding is pretty much --</p> <p>10 MR. KING: Just object to the form</p> <p>11 and lack of foundation in your question, but</p> <p>12 you can answer.</p> <p>13 THE WITNESS: My definition would</p> <p>14 probably be somebody that's not to be</p> <p>15 trusted.</p> <p>16 BY MR. SMITH:</p> <p>17 Q. In terms of when you heard other</p> <p>18 people use it or -- not by your definition</p> <p>19 about it. What's your understanding of what</p> <p>20 the term "rats" in connection with police</p> <p>21 officers?</p> <p>22 MR. KING: Object to the form, and</p> <p>23 calling for speculation about what other</p> <p>24 people mean, but you can answer.</p>

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<p style="text-align: right;">93</p> <p>1 BY MR. SMITH:</p> <p>2 Q. So is that the limits of your</p> <p>3 understanding of the word "rats"? It's just</p> <p>4 somebody not to be trusted?</p> <p>5 A. Correct.</p> <p>6 Q. So you never heard of it in the</p> <p>7 context of somebody who was telling on other</p> <p>8 officers?</p> <p>9 A. That's not my understanding of it.</p> <p>10 Q. You have never heard of a rat as</p> <p>11 being somebody who tells on somebody else?</p> <p>12 A. My definition and my knowledge of</p> <p>13 the word is somebody that's not to be</p> <p>14 trusted.</p> <p>15 Q. Had you ever heard of the code of</p> <p>16 silence?</p> <p>17 A. Yes.</p> <p>18 Q. What's your understanding of what</p> <p>19 that means?</p> <p>20 A. Code of silence?</p> <p>21 Q. Yes.</p> <p>22 A. It's to be silent.</p> <p>23 Q. So to be quiet?</p> <p>24 A. Correct.</p>	<p style="text-align: right;">95</p> <p>1 having a code of silence with respect to</p> <p>2 criminals?</p> <p>3 A. With respect to criminals?</p> <p>4 Q. Yes. That they are silent with</p> <p>5 respect to criminals?</p> <p>6 A. I never heard that.</p> <p>7 Q. Have you ever heard the code of</p> <p>8 silence in the context of he is silent from</p> <p>9 one police officer to another, if one police</p> <p>10 officer does something wrong?</p> <p>11 A. That's a fallacy.</p> <p>12 Q. Have you ever heard that?</p> <p>13 A. Yes.</p> <p>14 Q. In what context?</p> <p>15 A. Exactly that, the context being</p> <p>16 silent about what the police do, about</p> <p>17 anything.</p> <p>18 Q. Isn't that your understanding of</p> <p>19 what the words "code of silence" mean?</p> <p>20 MR. KING: Object to the form of</p> <p>21 the question. I think he's answered it.</p> <p>22 BY MR. SMITH:</p> <p>23 Q. So your meaning of code of silence</p> <p>24 is just overall silence, correct?</p>
<p style="text-align: right;">94</p> <p>1 Q. In terms of what does the word</p> <p>2 "code" add to that phrase?</p> <p>3 MR. KING: Object to form of the</p> <p>4 question.</p> <p>5 If you understand it, you can</p> <p>6 answer.</p> <p>7 THE WITNESS: What it means, the</p> <p>8 word "code," I mean, my definition of "code</p> <p>9 of silence" is just exactly that, just to be</p> <p>10 silent.</p> <p>11 BY MR. SMITH:</p> <p>12 Q. To be silent with respect to what</p> <p>13 or who or about who?</p> <p>14 A. Exactly.</p> <p>15 Q. Everything?</p> <p>16 A. Correct.</p> <p>17 Q. Just being silent?</p> <p>18 A. Being silent.</p> <p>19 Q. It doesn't matter who the</p> <p>20 information is about or where it came from</p> <p>21 or what it concerns?</p> <p>22 A. That's my understanding.</p> <p>23 Q. It doesn't matter who -- so in</p> <p>24 terms of -- have you ever heard the police</p>	<p style="text-align: right;">96</p> <p>1 A. That's my understanding of it.</p> <p>2 Q. Have you ever reported an officer</p> <p>3 for conduct that you thought was</p> <p>4 inappropriate to a supervisor?</p> <p>5 A. No.</p> <p>6 Q. Have you ever reported a fellow</p> <p>7 police officer in any way to anyone for</p> <p>8 something you thought was behavior that was</p> <p>9 not in accordance with their job or illegal</p> <p>10 in any way?</p> <p>11 A. No.</p> <p>12 Q. Have you ever had another officer</p> <p>13 say that -- report you or give a CR against</p> <p>14 you?</p> <p>15 A. Yes.</p> <p>16 Q. Was that anyone in Fugitive</p> <p>17 Apprehensions?</p> <p>18 A. Yes.</p> <p>19 Q. Was it any of your supervisors?</p> <p>20 A. Yes.</p> <p>21 Q. Who was the supervisor?</p> <p>22 MR. KING: I am going to object to</p> <p>23 the relevance to this lawsuit, but you can</p> <p>24 answer the question.</p>

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<p style="text-align: right;">97</p> <p>1 THE WITNESS: Do I have to answer?</p> <p>2 MR. KING: Yes.</p> <p>3 THE WITNESS: Maurice Barnes.</p> <p>4 BY MR. SMITH:</p> <p>5 Q. What did it concern?</p> <p>6 A. What did it concern?</p> <p>7 Q. Yes.</p> <p>8 A. Being intoxicated on duty.</p> <p>9 Q. Did you get any type of a</p> <p>10 supervision or punishment in connection with</p> <p>11 that CR?</p> <p>12 A. It was unfounded.</p> <p>13 Q. Is what Barnes said true?</p> <p>14 A. No.</p> <p>15 Q. Do you know why he said it?</p> <p>16 MR. KING: Object to the form of</p> <p>17 the question.</p> <p>18 If you know why he said it.</p> <p>19 THE WITNESS: Somebody made the</p> <p>20 allegation to him.</p> <p>21 BY MR. SMITH:</p> <p>22 Q. Do you know who made the</p> <p>23 allegation to him?</p> <p>24 A. I am unclear as to who. I am not</p>	<p style="text-align: right;">99</p> <p>1 CR number on me.</p> <p>2 Q. In terms of Maurice Barnes, were</p> <p>3 you alleged to have been intoxicated while</p> <p>4 on the job?</p> <p>5 A. That's the allegation.</p> <p>6 Q. And you were working under Maurice</p> <p>7 Barnes on the day that this alleged</p> <p>8 intoxication occurred, correct?</p> <p>9 A. Correct.</p> <p>10 Q. And Maurice Barnes was there the</p> <p>11 day that you were allegedly intoxicated,</p> <p>12 correct?</p> <p>13 A. Correct.</p> <p>14 Q. To your knowledge, did Maurice</p> <p>15 Barnes in any way say that you were</p> <p>16 intoxicated, or that he believed or had any</p> <p>17 evidence that you were intoxicated other</p> <p>18 than the allegation itself?</p> <p>19 A. No.</p> <p>20 Q. So as far as you are aware,</p> <p>21 Maurice Barnes would tell the people -- so</p> <p>22 to this day, do you know who made the</p> <p>23 allegation that you were intoxicated?</p> <p>24 A. I am not clear as to the</p>
<p style="text-align: right;">98</p> <p>1 -- I don't know how it all came out.</p> <p>2 Q. Was it a police officer?</p> <p>3 A. Correct.</p> <p>4 Q. That made the allegation against</p> <p>5 you?</p> <p>6 A. Correct.</p> <p>7 Q. But it was a false allegation?</p> <p>8 A. Correct.</p> <p>9 Q. When did that happen?</p> <p>10 A. Maybe 2013.</p> <p>11 Q. Did Barnes in any way say that he</p> <p>12 believed you were intoxicated?</p> <p>13 A. No. I think Maurice Barnes did</p> <p>14 his job, though.</p> <p>15 Q. And he said that it was -- did he</p> <p>16 indicate that he never saw you intoxicated?</p> <p>17 A. I don't know what he indicated.</p> <p>18 Q. What did he say that was false?</p> <p>19 A. Maybe I am -- I am not clear.</p> <p>20 Somebody made the allegation. He got a CR</p> <p>21 number.</p> <p>22 You asked me about the</p> <p>23 allegation. I said the allegation was</p> <p>24 false. Maurice Barnes did his job. I got a</p>	<p style="text-align: right;">100</p> <p>1 circumstances, no.</p> <p>2 Q. Did you find out in any way who</p> <p>3 was involved in making the allegation?</p> <p>4 A. No. And I don't care.</p> <p>5 Q. In any way were you ever presented</p> <p>6 with any knowledge -- any information about</p> <p>7 what the evidence was that you were</p> <p>8 intoxicated?</p> <p>9 A. No.</p> <p>10 Q. Were you ever questioned about it?</p> <p>11 A. I had to give a statement about</p> <p>12 it.</p> <p>13 Q. Were you asked who you were with</p> <p>14 on that date, working with?</p> <p>15 A. Yes.</p> <p>16 Q. Who were you working with?</p> <p>17 A. One officer was Officer Rainey.</p> <p>18 MR. KING: Do you know how to</p> <p>19 spell it?</p> <p>20 THE WITNESS: R-a-i-n-e-y.</p> <p>21 BY MR. SMITH:</p> <p>22 Q. Do you know who the other officer</p> <p>23 was?</p> <p>24 A. I can't remember his name.</p>

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<p style="text-align: right;">101</p> <p>1 Q. Do you know if any of those</p> <p>2 officers indicated that you were</p> <p>3 intoxicated?</p> <p>4 A. I don't know.</p> <p>5 Q. Was anything alleged to have</p> <p>6 happened at the time you were allegedly</p> <p>7 intoxicated? In other words, a car accident</p> <p>8 or any type of escape, or any type of issue</p> <p>9 that was allegedly affected by intoxication?</p> <p>10 A. Yes.</p> <p>11 Q. What was that?</p> <p>12 A. I had a car crash.</p> <p>13 Q. Was the car crash involving</p> <p>14 another vehicle?</p> <p>15 A. No.</p> <p>16 Q. Who was in the car at the time?</p> <p>17 A. Officer Rainey, myself, and</p> <p>18 another officer. I can't remember his name.</p> <p>19 Q. Did Sergeant Barnes ask you to do</p> <p>20 any type of breathalyzer test?</p> <p>21 A. They took blood samples.</p> <p>22 Q. Do you know if the samples ever</p> <p>23 came back?</p> <p>24 A. Yes, they came back.</p>	<p style="text-align: right;">103</p> <p>1 A. I am not sure.</p> <p>2 Q. And you say you are not sure. Do</p> <p>3 you think there might be one?</p> <p>4 A. There could be one pending</p> <p>5 possibly.</p> <p>6 Q. Do you have a lawyer for that?</p> <p>7 A. Not yet, no.</p> <p>8 Q. Do you know if it's state court at</p> <p>9 the Daley Center?</p> <p>10 A. I am not sure.</p> <p>11 Q. And the victim or the party suing</p> <p>12 you would be a police officer?</p> <p>13 A. Correct.</p> <p>14 Q. Is Rainey suing you, to your</p> <p>15 knowledge?</p> <p>16 A. Correct.</p> <p>17 Q. Do you know Rainey's first name?</p> <p>18 A. Tamica.</p> <p>19 Q. Do you know if she is also suing</p> <p>20 the City of Chicago in connection with that</p> <p>21 lawsuit, to your knowledge?</p> <p>22 A. I don't know.</p> <p>23 MR. SMITH: Nothing further.</p> <p>24 MR. KING: I don't have any</p>
<p style="text-align: right;">102</p> <p>1 Q. Was anyone injured in the</p> <p>2 accident?</p> <p>3 A. Yes, we were all injured.</p> <p>4 Everybody in the car was injured.</p> <p>5 Q. Did you learn the results of the</p> <p>6 blood test?</p> <p>7 A. I am not sure.</p> <p>8 Q. Do you know if anyone ever -- do</p> <p>9 you know if the results were ever -- do you</p> <p>10 know if the sample was actually tested?</p> <p>11 A. Yes.</p> <p>12 Q. Do you know what it was tested</p> <p>13 for?</p> <p>14 A. Drugs and alcohol.</p> <p>15 Q. How do you know that?</p> <p>16 A. That's our police procedures.</p> <p>17 Q. But you never saw the results of</p> <p>18 the test?</p> <p>19 A. No.</p> <p>20 Q. Were you ever told the results of</p> <p>21 the test?</p> <p>22 A. No.</p> <p>23 Q. Was there any kind of lawsuit that</p> <p>24 came out of that?</p>	<p style="text-align: right;">104</p> <p>1 questions.</p> <p>2 We will reserve.</p> <p>3 (FURTHER DEPONENT SAITH NOT.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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105	<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 NORTHERN DISTRICT OF ILLINOIS</p> <p>3 EASTERN DIVISION</p> <p>4 CHICAGO POLICE</p> <p>5 OFFICERS SHANNON</p> <p>6 SPALDING and</p> <p>7 DANIEL ECHEVERRIA,</p> <p>8 Plaintiffs,</p> <p>9 vs.</p> <p>10 CITY OF CHICAGO,</p> <p>11 CHICAGO POLICE</p> <p>12 CHIEF JUAN RIVERA,</p> <p>13 et al.,</p> <p>14 Defendants.</p> <p>15 I, ROBERT WALKER, being first duly</p> <p>16 sworn, on oath say that I am the deponent in</p> <p>17 the aforesaid deposition taken on June 17,</p> <p>18 2015, that I have read the foregoing</p> <p>19 transcript of my deposition, consisting of</p> <p>20 pages 1 - 104, and affix my signature to</p> <p>21 same.</p> <p>22</p> <p>23</p> <p>24</p> <p>_____ ROBERT WALKER</p> <p>Number of errata sheets attached_____</p> <p>Subscribed and sworn to before me this _____ day of _____, 2016.</p> <p>_____ Notary Public</p>	107	<p>1 Transcription, and the foregoing is a true</p> <p>2 and correct transcript of the testimony so</p> <p>3 given by said witness as aforesaid.</p> <p>4 I further certify that the signature</p> <p>5 to the foregoing deposition was reserved by</p> <p>6 counsel for the respective parties and that</p> <p>7 there were present at the deposition the</p> <p>8 attorneys hereinbefore mentioned.</p> <p>9 I further certify that I am not</p> <p>10 counsel for nor in any way related to the</p> <p>11 parties to this suit, nor am I in any way</p> <p>12 interested in the outcome thereof.</p> <p>13 IN TESTIMONY WHEREOF: I have hereunto</p> <p>14 set my hand and affixed my notarial seal</p> <p>15 this 19th day of February, 2016.</p> <p>16</p> <p>17</p> <p>18</p> <p>19 NOTARY PUBLIC, DU PAGE COUNTY, ILLINOIS</p> <p>20 C.S.R. No. 084-002306</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
106	<p>1 STATE OF ILLINOIS)</p> <p>2) SS:</p> <p>3 COUNTY OF DU PAGE)</p> <p>4</p> <p>5 I, MARIBETH REILLY, a notary public</p> <p>6 within and for the County of DuPage County</p> <p>7 and State of Illinois, do hereby certify</p> <p>8 that heretofore, to-wit, on June 17, 2015,</p> <p>9 personally appeared before me, at One North</p> <p>10 LaSalle Street, Chicago, Illinois, ROBERT</p> <p>11 WALKER, in a cause now pending and</p> <p>12 undetermined in the Northern District of</p> <p>13 Illinois, wherein Chicago Police Officers</p> <p>14 SHANNON SPALDING and DANIEL ECHEVERRIA are</p> <p>15 the Plaintiffs, and CITY OF CHICAGO, et al.,</p> <p>16 are the Defendants.</p> <p>17 I further certify that the said ROBERT</p> <p>18 WALKER was first duly sworn to testify the</p> <p>19 truth, the whole truth and nothing but the</p> <p>20 truth in the cause aforesaid; that the</p> <p>21 testimony then given by said witness was</p> <p>22 reported stenographically by me in the</p> <p>23 presence of the said witness, and afterwards</p> <p>24 reduced to typewriting by Computer-Aided</p>	108	<p>1 (R. Walker, 6/17/15 - Spalding v. City)</p> <p>2 ERRATA SHEET</p> <p>3 PG/LN CORRECTION</p> <p>4 ____/____ Change from:_____</p> <p>5 Change to:_____</p> <p>6 ____/____ Change from:_____</p> <p>7 Change to:_____</p> <p>8 ____/____ Change from:_____</p> <p>9 Change to:_____</p> <p>10 ____/____ Change from:_____</p> <p>11 Change to:_____</p> <p>12 ____/____ Change from:_____</p> <p>13 Change to:_____</p> <p>14 ____/____ Change from:_____</p> <p>15 Change to:_____</p> <p>16 ____/____ Change from:_____</p> <p>17 Change to:_____</p> <p>18 ____/____ Change from:_____</p> <p>19 Change to:_____</p> <p>20 ____/____ Change from:_____</p> <p>21 Change to:_____</p> <p>22 ____/____ Change from:_____</p> <p>23 Change to:_____</p> <p>24 WITNESS SIGNATURE:_____</p>

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Robert Walker

Spalding v. City of Chicago

6/17/15

<p style="text-align: right;">109</p> <p>1 (R. Walker, 6/17/15 - Spalding v. City)</p> <p>2 ERRATA SHEET</p> <p>3 PG/LN CORRECTION</p> <p>4 ___/___ Change from: _____</p> <p>5 Change to: _____</p> <p>6 ___/___ Change from: _____</p> <p>7 Change to: _____</p> <p>8 ___/___ Change from: _____</p> <p>9 Change to: _____</p> <p>10 ___/___ Change from: _____</p> <p>11 Change to: _____</p> <p>12 ___/___ Change from: _____</p> <p>13 Change to: _____</p> <p>14 ___/___ Change from: _____</p> <p>15 Change to: _____</p> <p>16 ___/___ Change from: _____</p> <p>17 Change to: _____</p> <p>18 ___/___ Change from: _____</p> <p>19 Change to: _____</p> <p>20 ___/___ Change from: _____</p> <p>21 Change to: _____</p> <p>22 ___/___ Change from: _____</p> <p>23 Change to: _____</p> <p>24 WITNESS SIGNATURE: _____</p>	